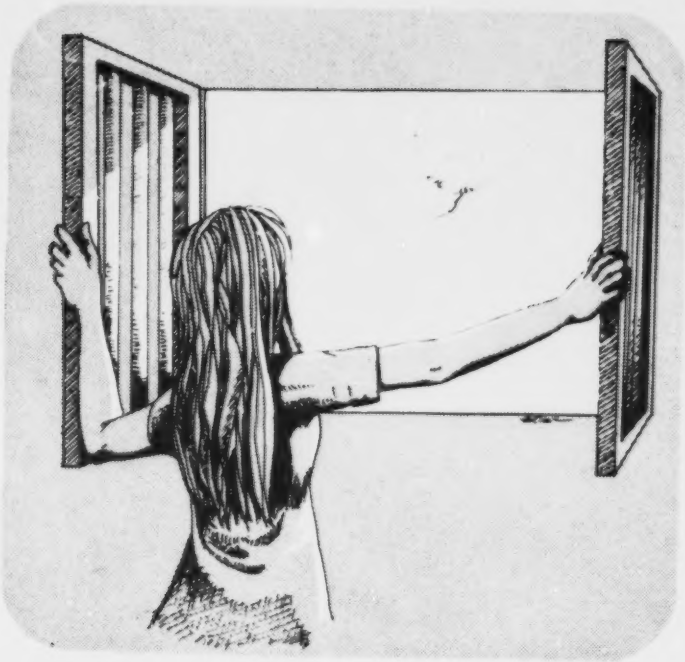

A REVIEW OF SERVICES TO BATTERED WOMEN IN YUKON

1984

Yukon
Department of Health and Human Resources
Department of Justice
Women's Bureau

REVIEW OF SERVICES

TO

BATTERED WOMEN

IN YUKON

1984

Acknowledgements

The Steering Committee wishes to thank all those who gave their time in order that this review could be completed. Particular mention is due to the staff of the Yukon Government Departments of Justice and Health and Human Resources, as well as the RCMP and Health and Welfare Canada for their patience and assistance. Personnel from many private agencies were approached for their input, and their contributions were particularly appreciated.

The Committee praises Ms. Elizabeth Lane for her comprehensive and capable efforts in researching and drafting the report.

Note:

The terms "spouse", "wife" and "husband" are used in this report to include both marital and common-law relationships.

It is recognized that the term "spousal assault" does not only apply to the situation where the wife is assaulted by her husband, but also the reverse. The number of men who are assaulted, however, is insignificant compared to the number of women. Further, the dynamics of wife-assault cases are likely to differ from husband-assault cases because of the dependence of women on men as well as their role as major providers of child care in the majority of families.

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OVERVIEW OF REPORT

This report documents the services available in Yukon to women who have been abused by their husbands or common-law partners.

The greatest single emphasis in the report has been placed on services provided through the Criminal Justice System because of the prominence of the police as first contact with women who require assistance as the result of an assault. The elements of the Criminal Justice System are treated with some prominence also because of the recent initiatives which have taken place on the part of the RCMP and Crown Attorney in Yukon with respect to more vigorous intervention in cases of spousal assault. The Criminal Justice System also comprises a number of "peripheral" services such as the Legal Aid and Compensation for Victims of Crime Programs.

Other frequently used support systems include the programs offered by the Yukon Government Department of Health and Human Resources and Health and Welfare Canada.

There are few services available in Yukon which are specifically designed to assist battered women. The only such service is the Yukon Women's Transition Home (Kaushee's Place) in Whitehorse, and this facility is experiencing difficulty with respect to the way its funding may be administered, i.e. the possible return to a per diem system in place of the current block-funding arrangement. This results in part from the regulations governing the administration of the Canada Assistance Plan.

A great need for support services in the communities outside Whitehorse has been identified, however, there is no consensus with respect to who is responsible for their development and delivery. The Transition Home, as the logical agency to provide an initiating and coordinating role does not have the resources to perform this function.

This lack of support services in the community may well hinder the degree to which the initiatives demonstrated by the Crown and the RCMP can be successful.

There is a great need for information on the subject of spousal assault for both professionals and the general public as well as for victims. There is currently little information available, and what there is is neither well-distributed nor coordinated.

There are few statistics currently available with respect to the number of victims of spousal assault in Yukon, although the RCMP are planning to collect statistics in the near future. This lack of information makes it almost impossible to plan programs for either the victims of spousal assault, or the assaulters.

While there is a need for the development of new services to assist both partners in an assaultive relationship, there is an equally great need for the coordination of services which are already available, however there is no existing body to perform this coordinating role.

No Social Service or other agencies (with the exception of the Transition Home) make an attempt to specifically identify whether their clients are victims of spousal assault, and there are no protocols in place to assist in such identification.

This report contains 97 recommendations, over half of which are directed to the different elements of the Criminal Justice System (see Appendix II). The need for public information and education represents the next largest group of recommendations.

It is recommended that the follow-up of this report be coordinated by an expanded inter-departmental committee on wife- battering which would become a working group.

As far as possible, the recommendations have been formulated to take advantage of the mechanisms already in place, consequently many could be carried out with relatively little expenditure by any single Government Department.

All agencies and services reviewed by this study have had an opportunity to comment on the text in respect to their area. In those situations where agencies have questioned the material their comments have been included.

i) Background to the Study

In January 1983, Premier Hatfield of New Brunswick approached other Ministers with responsibility for the Status of Women to request a Federal Provincial meeting to develop a coordinated approach to the issue of wife-assault.

The Government of Yukon agreed to participate in this process, and representatives of the Yukon Government were appointed to the working group which was established by the Ministers attending the Federal-Provincial-Territorial meeting in May of 1983. An interdepartmental committee of the Yukon Government was established to direct a review of the programs available in Yukon to assist battered women, as well as to identify the gaps in service and to recommend ways in which the services could be improved.

This report was prepared under the direction of the Interdepartmental Committee on Wife-Battering, which consisted of one representative from each of the Yukon Government Departments of Health and Human Resources, Education, Advanced Education and Manpower; and Justice. There is no Department of the Attorney General in Yukon, consequently the Crown Attorney for Yukon represented the Federal Justice Department on the Committee. The funding for the study was shared between the Yukon Departments of Justice and Health and Human Resources.

ii) Preparation of the Report

The report was researched between mid-November 1983, and mid March 1984. The material and suggestions for inclusion were obtained through informal interviews conducted with Government and private agency representatives as well as community groups. Unfortunately, it proved impossible for the researcher to visit all the major Yukon communities, although this had been the original intention, and much of the relevant information was therefore gathered by telephone or from secondary sources. As so few communities could be visited, it was considered inappropriate to include recommendations formulated to serve their particular needs. The needs and concerns which were expressed, however, fell into categories which were sufficiently broad to permit the formulation of recommendations which would have a broader application.

iii) Format of the Report

The report describes the services now available to battered women from Yukon and Federal Government Departments as well as some private agencies. For the most part, each Government Department's responsibilities are described separately in each chapter. Following a basic description of services, a discussion section is presented which outlines some of the major problems which emerged surrounding the programs and services offered. This is followed by a brief "summary" section, and recommendations have been formulated to deal with the concerns arising in the "discussion" section of each chapter. Where requested, comments of the agencies have been included.

Recommendations made affecting private agencies are made only with respect to agencies which are largely funded by Government Departments which have some contact with battered women. These recommendations are not intended to affect the way that private agencies operate as independent organizations, but are more directed to the way their services are interrelated with those of Government.

One area which has received considerable attention in the report relates to the need for public legal and other information. Unlike other chapters in the report, the one dealing with public information cannot be directed only to one or two Government Departments, but must be considered the responsibility of almost all Government Departments and agencies.

A summary of needs and recommendations, together with the Departments affected, is presented in tabular form in Appendix II, "Summary of Needs and Recommendations".

iv) The Yukon Context

The Yukon Territory has a small population of approximately 23,000 people, over half of whom live in the capital of Whitehorse. The rest are distributed in approximately 14 other communities and settlements, ranging in population from 50 to about 1,700. All communities are accessible by road except for Old Crow, a largely traditional Native community north of the Arctic Circle.

There are twelve Indian Bands in Yukon, and a land claims agreement in principle has recently been signed by the Yukon and Federal Governments and the Council for Yukon Indians. This agreement in principle outlines some of the mechanisms which would be put in place to allow for Native representation within a "one-government" system, in preference to the adoption of a Reserve system. This agreement in principle has not yet been ratified by the required number of the Indian Bands, and it is not known when this process will be completed. In the light of the possible provisions of the proposed settlement, it is difficult to recommend strategies which might be adopted within Native communities to address the problem of spousal assault. It is, however, suggested that Native people must have input into program developments and delivery within their own communities, consistent with their cultural values and lifestyle.

As a Territory, Yukon does not have complete jurisdiction over all programs which are in place to assist women who have been battered. There is no Attorney General in Yukon, thus the Attorney General for Yukon reprsents the Federal Justice Department. The Yukon Government is not responsible for the administration of Medical Services, thus hospitals, Public and Mental Health programs all come within the jurisdiction of Health and Welfare Canada.

Most communities in Yukon do not have daily bus or air services to the capital of Whitehorse where the great majority of social service agencies are located. Many communities have little in the way of medical services, and only five communities outside Whitehorse have a

resident physician. Lawyers are in Whitehorse, few communities receive newspapers more than once a week, and only two communities receive mail deliveries more than three times a week. Most communities do receive some assistance from Health and Human Resources staff of the Yukon Government, however, many communities have part time workers, or are served by staff from other communities. All communities with the exception of Whitehorse receive court services through the Circuit Court, which visits at intervals ranging from once every two or three months to twice a year. Other court services are delivered by Justices of the Peace who have limited jurisdiction. For the most part, probation officers visit the communities infrequently or with the Circuit Court, and this applies to lawyers and courtworkers also.

The above points demonstrate the difficulties which may be experienced in trying to deliver a full range of social and health services to a small and widely dispersed population. An attempt has been made in this report to suggest recommendations for action which could reasonably be accomplished given the realities outlined.

v) Follow-up of Recommendations

There are 97 recommendations contained in this report, many of which would, if accepted, involve more than one Government Department or jurisdiction. For example, it has been suggested that several Departments, of both Yukon and Federal Governments, contribute either financial or other assistance towards the provision of legal and other public and staff education materials.

Another area which requires the cooperation of more than one Department or jurisdiction is that of coordination of service and information delivery.

This report was conducted under the direction of an interdepartmental committee representing Justice, Education and Social Service areas. In conducting the review it became apparent that significant services were also being delivered by Health and Welfare Canada which was not represented on the committee at the local level. The Department of Indian and Northern Affairs also, while cost-sharing the funding for the Transition Home and delivering significant social services to Indian communities, was not represented on this committee.

Given that the recommendations in many cases may involve overlapping and similar interests and jurisdictions, it is suggested that the follow-up process involve these same interests and jurisdictions. One possible means of ensuring that the accepted recommendations are followed-up and implemented would be to continue the existence of the Interdepartmental Committee on Wife-Battering as a working committee. If this should take place, it is suggested that the committee include representatives from Health and Welfare Canada and Indian Affairs. An additional consideration might be the inclusion of a representative with a responsibility for the corrections area. While the Yukon Justice Department was represented on the Interdepartmental Committee, the particular area of interests was the Women's Bureau. If programs for batterers are to be developed, then the correctional area should be represented.

In the light of the above, it is recommended that:

> The Yukon Government ensure that this report be followed up by continuing the existence of the Interdepartmental Committee on Wife-Battering.
>
> That the representation on this committee be widened to include the interests of the Department of Health and Welfare Canada, the Department of Indian and Inuit Affairs, Correctional Services within the Yukon Justice Department and selected private agencies.

There has been little mention made with respect to the priority which might be placed on the implementation of the recommendations suggested in the report. This is a question which could be addressed by the Interdepartmental Committee on Wife-Battering should it be continued. The most frequently expressed needs, however, are:

- the collection of statistical information to assist in program development;
- the need for safe-houses in communities outside Whitehorse;
- the need for public legal and other education; and
- the need for support and treatment groups for men who batter, women who have been battered, and their children.

I THE CRIMINAL JUSTICE SYSTEM

INTRODUCTION

The Criminal Justice System represents the first major group of resources dealt with in this report because of its wide-ranging involvement in the provision of services for both men who batter and their victims. Justice services are accomplished through police services, the court process and sentencing. There are also additional resources attached to the Criminal Justice System such as the Legal Aid program, Native Courworker services and the Compensation for Victims of Crime program. With the initiatives now taking place on the part of the Royal Canadian Mounted Police (RCMP) and the Crown, it is likely that the elements of the Criminal Justice System will become more prominent with respect to the provision of services to the victims of spousal assault.

As far as possible, the recommendations appearing in this section have been formulated to conform with the topics dealt with in the "Discussion" and "Summary" sections of the review, as these are the sections which highlight the problem areas.

JURISDICTION & SERVICES

The Federal and Yukon Governments both have jurisdiction over different elements of the system. There is no Attorney General in Yukon, thus the Attorney General for Yukon is the Federal Minister of Justice. Prosecutions are handled by the Crown Attorney and three Assistant Crown Attorneys who represent the Federal Justice Department in Whitehorse. The

Crown Attorney is the Director of the Regional Office in Yukon and is responsible to the Attorney General of Canada in Ottawa. The Court System consists of the Supreme Court, decisions of which are appealed to the Court of Appeal; the Yukon Court of Appeal, decisions of which are appealed to the Supreme Court of Canada; and the Yukon Territorial Court, appeals of which are heard by either the Yukon Court of Appeal or the Supreme Court. The courts are administered through the Yukon Department of Justice.

The Yukon Department of Justice is responsible also for Institutional Services and Community Corrections. Juvenile Corrections are currently the responsibility of the Yukon Government Department of Health and Human Resources. Parole supervision is now effected through the Probation Branch by means of an agreement between the Corrections Service of Canada and the Yukon Government, however, parole <u>decisions</u> are made by the Federal Parole Board through its office in Prince George, British Columbia, even for inmates from the Whitehorse Correctional Centre. All policing services in Yukon are provided by the RCMP. The Divisional Headquarters ("M" Division) are in Whitehorse, and there are detachments situated in the outlying communities. The policing services are carried out by means of a ten year agreement between the Yukon and Federal Governments, similar to the agreements held between the Federal Government and the provinces. Policing requirements and arrangements are jointly agreed by the Yukon and Federal Governments. The Department of Indian Affairs is also involved in the policing of Yukon with respect to the provision of policing in Native communities through Native "Special" Constables.

Native Courtworker Services, Legal Aid and the Compensation for Victims of Crime programs are all cost-shared between the Federal and Yukon Governments, and are dealt with in this report as integral parts of the Criminal Justice System.

1. POLICING SERVICES

All policing in Yukon is provided by the RCMP. There are therefore no "Territorial" or "Municipal" police in Yukon. The services to be provided are defined through a ten year agreement held between the Yukon and Federal Governments. The costs are currently shared between the two Governments, with the Federal proportion decreasing to 30% by 1990. Policing in some Native communities is augmented by the RCMP Special Constables. The costs of Native policing are also cost-shared between the Yukon and Federal Governments, except that the agreement includes the Department of Indian Affairs, as well as the Federal Solicitor General.

A. Distribution of Police Services in Yukon

The RCMP complement in Yukon is approximately 119 members. The divisional headquarters ("M" Division) are situated in Whitehorse, and the headquarters' staff should perhaps be considered separately from the staff of the Whitehorse detachment itself.

Divisional headquarters includes specialized services such as drug and commercial crime sections and preventive policing which are available to the Yukon as a whole. There are also clerical, telecommunications and other technical and administrative staff attached to divisional headquarters.

The Whitehorse detachment itself consists of 26 regular members, eight special constables (not all Native Specials), five members assigned to the highway patrol, and three

performing "guardroom" duties. There are four clerical staff.

Policing in the rest of Yukon is as follows: (The count includes regular members and "specials" only. Clerical staff are excluded.)

Dawson City	5
Ross River	3
Old Crow	2
Faro	2
Mayo	3
Beaver Creek	2
Teslin	3
Watson Lake	8
Haines Junction	3
Carcross	2
Carmacks	2
Pelly Crossing	1
TOTAL	36

B. RCMP Statistics

Since February 1984 statistics have been collected by the RCMP with respect to spousal assaults. The Uniform Crime Reporting Program, in use since 1962, does not discriminate between assaults committed against a spouse and assaults committed against any other person. There are no reports now prepared which can show the relationship between the victim and the assailant, and even statistics showing the types of assault which occurred regardless of the relationship between the parties are complicated by recent changes in the Criminal Code defining the various types of assault.

Figures available from Statistics Canada indicate that during 1982, there were 579 assaults recorded in Yukon.

C. RCMP Training

Little instruction with respect to the dynamics of spousal assault, or intervention techniques has been received by the RCMP staff during their training. There has been little involvement in RCMP training by community groups in Yukon in this regard, although both Mental Health Services and the Transition Home have made overtures in this respect.

In February of 1984, a week-long training session was conducted at the RCMP detachment in Whitehorse. The session was intended to deal with techniques of investigation, and a part of the course was devoted to the topic of family violence, including the subject of wife-battering. While this topic took up a relatively small proportion of the week-long session (less than half a day), it was the first such exposure received by many of the officers. The session was well attended by members from Whitehorse, as well as some of the outlying detachments and this appears to have sparked considerable interest amongst the participants.

D. Current RCMP Practice

The practice of the RCMP is to investigate all reports of spousal assault, and to make an arrest or lay criminal charges wherever there is sufficient evidence. It is no longer up to the victim of a spousal assault to lay a charge, neither is it necessary for an attending officer to have witnessed the assault in order for the charge to be laid.

The procedures to be used in cases of reported spousal assaults have been outlined in an internal bulletin which

has been circulated to members of the Whitehorse and other detachments. The procedures laid out in this document are very much in line with guidelines received recently by the Crown Attorneys in both the Yukon and Northwest Territories from the Federal Department of Justice.

One of the potential difficulties reported concerning the more aggressive policy with respect to intervention in spousal assaults is that the investigating officer may have to proceed through the court process on the strength of a victim's initial statement taken at the time of the asssault. In many cases, the full investigation may not take place until the day following the incident, at which point the victim and the parties involved may have changed their testimony.

Other assistance provided by the RCMP may include transportation for the victim to the hospital, relatives, or another safe place such as the Transition Home in Whitehorse. In some cases the RCMP have provided escort services to women in the Transition Home who wish to collect their belongings from their homes. The police will call the Department of Health and Human Resources for assistance on behalf of a victim, but this is more likely in cases where children are involved.

Currently, it is the tendency to remove the woman from the situation for her protection, rather than to remove the assaulter. In small communities this may be partly due to the lack of holding facilities for offenders, and to the lack of staff to supervise them.

Offenders can have certain conditions attached to their release subsequent to arrest, and some conditions can be set

by the officer in charge of the detachment. Conditions, however, are limited, and generally involve release subject to a bail forfeiture if the offender does not appear for court. Cash bail is seldom required. If the police consider that the offender is unlikely to appear for trial, or is a further danger, a "show cause" hearing can be requested which requires an appearance before a Justice of the Peace.

E. Discussion

The preceding section has presented a broad overview of the police services in Yukon and the practices of the police with respect to spousal assault. This discussion will bring forward some of the concerns which have emerged with respect to the role of the police, from discussions with police officers as well as with community members and agency personnel.

i) Delays in Bringing Charges to Court

When a charge is dealt with in courts, other than those held locally by a Justice of the Peace, there can be a considerable delay between the first court appearance and sentencing, as well as a delay between the laying of a charge and that first court appearance. This is of concern because an individual who has been charged with an assault on a spouse could be "free" in the community for some considerable time, while the Criminal Justice System appears to community members to be doing nothing. The only control which can be held over a charged person is through the application by an assaulted spouse for a Peace Bond (through a "sitting" Justice of the Peace) or through the application of

stringent conditions to a Judicial Interim Release Order, again through a "sitting" Justice of the Peace. Subsequent to a first appearance in Circuit Court, a case can be remanded to subsequent Circuits for a number of reasons, so that charges may be "hanging" for over six months before they are dealt with. The above situation does not predispose members of the public to report incidents to the RCMP because it appears that "nothing happens" as the result of a complaint. This is a problem with respect to all offences, but particularly to spousal assault because of the under-reporting which already occurs. The system must be perceived to respond effectively if it is to be effectively used.

ii) Changes in Statements Made During Police Investigations

There is support among many (not all) of the police force for the more aggressive intervention in spousal assault cases, however, there are problems remaining. While the thrust is now for the police rather than the victim to lay a criminal charge, the victim is frequently the major witness. There is concern expressed that the statements made by both victims and other witnesses can change drastically from the time when the initial statements were taken at the scene of the assault, to the time when the full investigation is made, frequently on the following day. Prior to the development of the new police initiatives, the problem was that victims would frequently drop a charge prior to the court date. The problem being expressed now is that the victims change their statements between the time of the assault and the investigation.

iii) "Attitudes"

Police, because they are so often the first people contacted in cases of spousal assault, are in positions of very high visibility. While it is not the purpose of this report to overly criticize particular groups of people, there is sufficient concern about attitudes to spousal assault to make it appropriate to comment.

Some of the concerns have to do with apparent inconsistencies. For example, some police officers are extremely helpful and understanding about providing assistance to a woman who wishes to return home to collect her belongings, others are not. It has been reported that the response from the police differs greatly according to who is making the request for assistance. Nonetheless it should be emphasized that the policy of the police is equal delivery of service.

Some perceive, in some cases, a reluctance to intervene in spousal assault situations based on a woman's "right" to put up with being assaulted as long as things do not get too severely out of hand.

There are still assumptions made about the role which a woman may have in provoking an attack.

There is sometimes a tendency to downplay the seriousness of assaults where either or both partners were intoxicated. Strictly speaking, this is a factor to be taken into account in sentencing, rather than in laying a charge.

The above suggests that there are still difficulties to be overcome, especially with respect to attitudes towards the degree of police intervention which is appropriate in spousal assaults. The overall impression, however, is that the police are grateful that they can now "officially" intervene in assault cases and provide more positive assistance than they could in the past.

iv) Policing in Small Communities

Much of Yukon is policed by small detachments of three or fewer RCMP officers. From a practical point of view, this can make it difficult to provide quick service in response to a complaint. If no reply is received in response to a telephone call to the local detachment, the caller can dial a toll-free Zenith number which will connect her to the dispatcher in Whitehorse. The local officer is then contacted and responds to the caller as soon as possible.

It appears that in reality, many callers are reluctant to use the Zenith number, and prefer to wait for an immediate response from the local detachment, or give up. The RCMP are currently attempting to address this unfortunate resistance to the use of the Zenith telephone system. The difficulty is that the "cure may be worse than the problem" in that the Zenith system was instituted to allow for both on duty patrolling and 24-hour phone service, the only other option at the time being no answer at all. The problem becomes a trade-off between the occasional resistance to using the Zenith system and the obvious impracticable alternative of financing permanent office staff to

answer telephones. The RCMP are presently looking into the feasibility of a call-forwarding system which would bypass the need to work through a long distance operator.

Many Native communities do not have public telephones available at night, and fewer private telephones. The reliance placed on the telephone as a means of contacting the police can therefore cause real problems at a practical level.

Some communities have particular problems. One example is the Kwanlin Dun Indian village in Whitehorse. Although this community is situated within the Whitehorse city limits, it effectively receives on site policing only during the day, from nine o'clock in the morning to five o'clock at night. The regular RCMP patrol covers the village at night, but the presence of the police is not very visible at this time. There are frequent violent incidents in the village, often associated with alcohol, and spousal assaults are not infrequent. It has been suggested that what is required in this community and in others with similar problems is a different "style" of policing. For example, the accepted way of calling the police (and in fact the only practical way) is to flag down an officer rather than use the telephone. It is impossible to flag down a police officer when the patrols are very infrequent. An on site special constable has been suggested as much more effective than an infrequent, regular patrol.

Comments from RCMP

The RCMP disagree with this commentary and conclusion

concerning the availability of police coverage in the Kwanlin Dun Village. They advise that

"The Kwanlin Dun Village receives more coverage than some other Whitehorse areas, such as Wolf Creek or Porter Creek, considering its size and population base.

The Village's policing is assisted by a peace officer hired by the Band, who only works week-days from nine to five. All evening and weekend policing is the total responsibility of the R.C.M.P. All police detachments in Canada distribute their manpower shift coverage in direct relationship with crime occurrence times. In Kwanlin Dun's case, the following 1984 R.C.M.P. patrol frequency serves as an example of distribution:

February	0900 - 1700 hrs.	18 patrols
	1700 - 0900 hrs.	82 patrols
March	0900 - 1700 hrs.	19 patrols
	1700 - 0900 hrs.	63 patrols
April	0900 - 1700 hrs.	24 patrols
	1700 - 0900 hrs.	60 patrols"

v) Police Role in Public Education

The police role in providing public education is much more prominent in some communities than in others. The public education function is extremely important in "de-mystifying" the role of the police, and in heightening the police profile, particulary in small communities. The education function also allows the members of a community to become better acquainted with their police officers, who change locations regularly (every two years or so). While it is the opinion of

many police officers that people are now all aware of their rights and obligations under the law, it is the opinion of others that, in fact, there remains a great deal of ignorance of the law in general, as well as of police methods and other programs which could be of assistance. The ignorance with respect to the Victims of Crime Program is a prime example. When there has been a change in initiative on the part of the police, such as the recent thrust with respect to the intervention in spousal assaults and domestic violence in general, it would be a prime opportunity to provde some education and information to the public. It would seem that this opportunity is not always used to its greatest potential.

F. SUMMARY, POLICING

All policing services are provided through the RCMP in Yukon, either by regular members or through the Special Constable Program.

Services are provided through a ten year cost-sharing agreement between the Governments of Canada and Yukon.

Prior to February 1984 the RCMP did not collect statistics specific to spousal assaults.

In general, there has been little training received by members with respect to the dynamics of spousal assault with the exception of a recent workshop conducted in Whitehorse.

The current practice of the RCMP is to respond to all complaints of spousal assault, and to lay criminal charges if there is sufficient evidence to do so.

The officer in charge of an RCMP detachment has the authority to set limited conditions when releasing a person who has been charged with an assault.

Problems expressed by the police with respect to spousal assaults include the delay which can be experienced in having the charge dealt with in court and changes in statements made by witnesses and victims subsequent to the statement taken at the time of the initial investigation.

There is some concern about attitudes expressed by some officers, even in the light of the new policy, as well as with some of the perceived inconsistent responses received from police officers when asked for assistance.

Policing in small communities can present particular problems with respect to gaining rapid assistance subsequent to a complaint. While a Zenith number is provided when no local assistance is immediately available, there is a reluctance to use it.

There are practical problems in some Native communities where there are no public telephones and few private telephones either. This means that some communities have limited access to policing services.

The involvement of the police in public education is not as visible in some communities as in others, and the importance of this role does not always appear to be fully recognized.

Some police officers overestimate the knowledge held by the general public with respect to their rights and obligations under the law, as well as their knowledge about programs developed to assist them.

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RECOMMENDATIONS/POLICING SERVICES

Yukon is fortunate because there has already been a considerable initiative made with respect to police intervention in cases of spousal assault, specifically in the laying of criminal charges wherever possible. There are, however, recommendations which should be considered.

Review of the New Procedures:
It is recommended that:

1A The RCMP "M" Divisional Headquarters undertake a review of the new "thrust" towards a more aggressive police intervention in spousal assault cases, with respect to:

i) the number of spousal assault cases investigated;
ii) the number of charges laid;
iii) the difficulties encountered with respect to the changing of statements by victims and witnesses between the time of initial investigation and the taking of statements;
iv) the time lapse between the initial investigation and the taking of statements (e.g. whether there are unnecessary delays between these two procedures); and

v) the occasions on which charges are not laid because the protagonists are apparently intoxicated.

Such a review would coincide well with the one to be undertaken by the Crown Attorney of Yukon.

Consistency of Response:

One of the concerns reported with respect to the intervention of the police in spousal assault cases is the apparent inconsistency in response received as a result of requests for assistance, for example, whether an officer will escort a woman who is afraid for her safety to her home to collect her belongings. It is recognized that police officers may not always be available because of other duties, however, the response to such requests has apparently not always been "diplomatic", and further, seems to vary according to who is making the request. The consistency of response can sometimes be almost as important as the degree of response.

Divisional policy guidelines relating to police assistance to the victims of spousal assault do exist. Nonetheless there are concerns about specific interventions.

It is therefore recommended that:

1B The RCMP develop some specific guidelines with respect to:

i) the consistency of response in cases where victims request specific assistance (for example to return home to collect their belongings), and

ii) that wherever possible, such assistance be provided to victims who are afraid for their safety.

Training:

The RCMP are to be commended for their recent initiative with respect to training on the subject of spousal assault, however, there are some problems which remain concerning the level of understanding of some RCMP staff about the dynamics of spousal assault. These may include a belief that the woman has some role in the provocation of an attack by her husband, and the view that a woman has the "right" to be assaulted as long as things do not get too much out of hand.

It is therefore recommended that:

1C Further training take place for the RCMP officers serving in Yukon, and that this training place a strong emphasis on:

i) the fact that violence is not an appropriate response under any circumstances, and that "provocation" is NEVER grounds for an attack by one spouse on another, and

ii) that spousal assault is a CRIMINAL OFFENCE and cannot be tolerated by society any more than other forms of violent behaviour. The fact that spousal assault frequently occurs behind closed doors makes it neither legal nor excusable.

iii) that intoxication on the part of either spouse in an assault is grounds to be taken into account in sentencing - not in laying the charge in the first place;

iv) the possible dynamics existing in assaultive relationships and the reasons why many women accept so much violence before complaining; and

v) the reasoning behind the thrust towards more aggressive police and court intervention in spousal assault cases.

There have been other concerns expressed with respect to training for RCMP (and other Criminal Justice System personnel), and these include an apparent reluctance on the part of the police to accept training from non-RCMP staff. Training or information sessions which are provided by local people or agencies involved in providing services for battered women are a valuable means of increasing the knowledge of the services available locally, and on a more informal level, can do much to reduce the suspicions which may be held by both the agencies and the police.

It is therefore recommended that:

1D The RCMP develop training sessions in conjunction with personnel from local agencies who are involved in providing services to either victims of spousal asault or the assaulting spouse (e.g. the Yukon Women's Transition Home, Mental Health Services), and further

1E That the RCMP actively encourage non-RCMP personnel to be involved in training sessions, as participants and as trainers.

1F Training sessions occur at regular intervals to ensure that officers who are transferred from other areas also receive it.

Comments from RCMP

The RCMP take issue with some of the preceding comments and recommendations concerning training. The response of the Officer in Charge of the Division's Criminal Investigation Branch is

"I am not sure how your researcher arrives at the conclusion that some police officers tolerate spousal assault. This is certainly not the case with the majority of members. Our frustration comes from the other direction, in fact, namely the unwillingness of many victims to testify and the inertia of the legal system.

Spousal assault training is receiving priority attention in the recruit training of members, including both human relations and legal training.

The comment regarding intoxication of either party not playing a part in the determining of charges is not entirely accurate. Depending upon the circumstances, the intoxication levels could play a substantial role in the accuracy of recall, directly affecting the extent and accuracy of the evidence upon which the police must decide charges.

Our current training approach is to integrate sessions dealing with crisis intervention (domestic disputes) into larger training courses, eg. - a Senior Investigators' Course. We are quite willing to use non-R.C.M.P. resource material/people in the area of human relations training. We have done so in the past. What must be remembered is that such resource people have to fit their instruction into the law enforcement/public protection role of the police; to be

effective this training has to speak to the daily needs of the trainees."

Access to Policing:

Some communities are concerned about the limitations of the policing service received. One example is the Kwanlin Dun Band's village in the City of Whitehorse. Problems have also been expressed in many areas where there are few private telephones and fewer public telephones. This review has not been able to provide an in-depth review of how policing "works" in such communities. It is a concern which should be taken seriously, however, and it is therefore recommended that:

1G The Yukon Minister of Justice, in conjunction with the Federal Solicitor General, undertake a review of the access to police services which is actually possible in small, rural communities.

1H That this process take place also with the Department of Indian Affairs, Federal Solicitor General and the Indian Band Councils in Yukon with respect to the real access to police services available to residents of Native communities.

1I Consideration be given to the extension of police services for the Kwanlin Dun Indian band in Whitehorse, from a daytime only service, to a twenty-four hour service of on-site policing. (Note: refer to previously outlined RCMP comments and perspective on issue.)

Public Education:

There is an assumption among some RCMP staff that members of

the public now know their rights and obligations under the law, and are aware of the services available to them from the police and other components of the Criminal Justice System. In conversation with social service professionals, it is evident that in fact this is not the case. While the change in procedures to be used in cases of spousal assault may have been relatively well publicized in urban areas, this is not necessarily true of more rural ones. It is not true that all women are aware that an assault by a spouse is a criminal offence, and therefore subject to criminal sanctions (on the other side of the coin, it is also possible that some men are not aware of this). It is therefore recommended that:

1J In the light of the recent changes in RCMP procedure in cases of spousal assault, and of supportive Divisional policy in the area, the RCMP continue and expand their increasingly prominent role in public education by speaking in schools, adult educational institutions, on the radio and in local print media, as well as providing this information to Indian Band Councils and organizations with an interest in women's and Criminal Justice issues.

Compensation for Victims of Crime:

The Yukon Compensation for Victims of Crime program is neither well-used nor well known. The administration of this program is not a police responsibility, but, as they implement Divisional policy to be as helpful as possible to victims, the police are very much involved in referring people to the program and letting them know of its provisions. They are, for example, one of the major sources of application forms. It has been pointed out elsewhere in

this report that there is a certain amount of "pre-screening" or "second-guessing" which occurs when the police refer victims of violent crime to the program. The Act specifies that common assault is an eligible offence, however, there seems to be a tendency to refer only victims of more serious offences. Given that it is the Workers' Compensation Board that makes the decision whether or not to provide compensation and not the police, it is recommended that:

1K The RCMP officers in the field be instructed to refer all victims of offences where an injury has been received to the program, whether or not they think that compensation is justified.

Comments from RCMP

While emphasizing that they are not responsible for the administration of this program, the RCMP do acknowledge that a more active role in this area might be integrated into the investigative function. They point out that this is a relatively new program and so they are still searching for ways to accomplish it that are both convenient for them and supportive of universal coverage to victims.

Statistics:

The RCMP have only recently begun to collect statistics which indicate the relationship of the victim to the assaulter. The lack of past statistics contributes to the often-stated "hiddenness" of spousal assault as an offence, and makes it extremely difficult to develop programs for assaulters, or to develop successful intervention techniques. If it is the intention of the RCMP to review the effects of their initiative, the new statistical information will be critical. Such data will also be

extremely useful to the managers of the Transition Home in developing an "outreach" service, should they wish to do so. It is therefore recommended that:

1L The RCMP collect statistics with respect to spousal assaults which fully reflect:

i) the relationship between the parties;

ii) the circumstances, e.g. whether alcohol was involved;

iii) whether or not a criminal charge was laid, and if not, why not;

iv) whether this was a first incidence of such an assault or one of several;

v) the charge laid, if any;

vi) which of the parties (if any) was removed from the home and why;

vii) whether either of the parties were held in custody;

viii) whether bail conditions were set;

ix) whether transport to a safe place was provided, and if so, where.

Such statistical information should be collected nationally, and in the same way, by all detachments and divisions, in order to gain a global picture. Failing this, it should be collected at least on a Divisional level, and the information gathered should be made available to agencies which could make use of it in program and other planning.

4. THE COURTS

This section provides a description of the court system in Yukon in relation to its contact either with women who are victims of a spousal assault, or with men who have been charged with assault. The role of the Crown Attorney is discussed in this section also because the Crown's involvement in the prosecution of criminal offences is an integral part of the court system. A discussion is presented concerning the roles and responsibilities of Justices of the Peace, particularly in smaller communities which are otherwise served by Circuit Court. A short discussion is presented outlining the sentencing options now available to Judges, although more consideration is given to this subject under the headings of "Community Corrections" and the "Whitehorse Correctional Centre".

A. The Supreme Court

The Supreme Court was constituted by the Supreme Court Act in 1971, and has full civil and criminal jurisdiction throughout Yukon. It sits in Whitehorse, and the Judges consist of the resident Judges of the Yukon and Northwest Territories and the Justices of the Alberta and British Colubmia Courts of Appeal. The Judges are appointed federally by the Governor in Council.

The Supreme Court deals with divorces, civil matters and indictable offences under the Criminal Code tried by Judge and Jury or Judge alone, as well as summary conviction appeals.

Appeals made with respect to the decisions of this court are made to the Court of Appeal.

Spousal assaults are unlikely to be dealt with by the Supreme Court, unless they form part of divorce proceedings or result in more serious criminal charges such as murder or manslaughter.

B. Yukon Court of Appeal

The Court of Appeal was constituted by the Court of Appeal Act in 1971, and sits generally in Vancouver and once a year in Yukon. The Judges are the resident Judges of the Yukon and Northwest Territories, and the Justices of the British Columbia Court of Appeal. The Judges are appointed federally by the Governor in Council.

The court hears appeals respecting civil or criminal matters from the Territorial and Supreme Courts.

C. The Yukon Territorial Court

The Yukon Territorial Court is where the great majority of cases arising from spousal assaults would be heard. The court was established by the Territorial Court Act of 1971, and has two full time Judges appointed by the Commissioner of the Territory. The court hears all criminal offences and all charges under the Juvenile Deliquent's Act. The court has jurisdiction also in civil matters involving sums of up to $1,500. Appeals of decisions made by this court are held by the Yukon Court of Appeal or Supreme Court.

Judges in Yukon do not specialize in criminal, family or juvenile matters, and there is no real formal division

between family and criminal courts. There is an effort made, however, to schedule "family" or "criminal" matters together for better management of court time.

Court is held daily in Whitehorse in two court rooms with either a Judge or Justice of the Peace presiding. Justices of the Peace in Whitehorse deal generally with bylaw infractions, requests for time-to-pay extensions, license suspensions, Territorial Acts and offences under the Summary Convictions Act.

The court travels on circuit to communities outside Whitehorse more or less as follows:

Community	Visits per Year	** "J.P." Courts
Watson Lake	5	1 weekly
Teslin	4	1 monthly
Carcross	4	4 per year (J.P. from Whitehorse)
Haines Junction*	4	1-2 per month
Faro/Ross River	5	not sitting
Carmacks	4	1 per month
Pelly Crossing	2	rarely
Mayo	5	not sitting
Dawson	5	1 per month
Old Crow	2-3	not sitting

* Court in Haines Junction also deals with cases from Burwash, Destruction Bay and Beaver Creek.

** Information as of December 1983.

When court travels on circuit, the personnel include Legal Aid and defence lawyers, the Crown Attorney, the Native Courtworkers, and frequently the Probation Officers, also.

D. The Role of Justices of the Peace

The status of Justices of the Peace is established in the Justice of the Peace Act of 1979. Justices are appointed by the Judicial Council and undergo an extensive selection process followed by training which takes place twice a year. The training conferences are conducted under the auspices of the Chief Judge of the Territorial Court who draws upon resource personnel from the Defence Bar, Crown and other specialists.

The powers of individual Justices of the Peace are specified in their letters of appointment, which indicates that there are three "levels" of Justices. Generally speaking, the powers of a "JP I" are more or less limited to paperwork associated with legal procedures, whereas JP II's and III's have more power and are colloquially known as "sitting" JP's. There are, however, some JP II's who prefer not to "sit" and preside over court proceedings, and they too perform mostly "paper" duties.

It would require a J.P. II to hear a Peace Bond application, and a J.P. III to hear proceedings in relation to any offence where there was not a guilty plea entered. This means that in many cases, assault charges would be "held over" until they could be dealt with by the Circuit Court, a delay of possibly several months.

Generally speaking, the Justices of the Peace are not considered as "quasi-lawyers", but to give "common sense" decisions. Nevertheless, decisions made by the J.P.'s must conform to the legal limits defined in the Criminal Code or elsewhere.

In January 1984, the Justices of the Peace in Yukon were distributed in 16 communities as follows:

Community	J.P. I	J.P. II	J.P. III	Total
Whitehorse	5	5	4	14
Elsa	0	1	0	1
Dawson	1	2	1	4
Carcross	0	1	0	1
Watson Lake	0	1	2	3
Old Crow	1	0	0	1
Carmacks	1	0	3	4
Faro	1	1	0	2
Haines Junction	2	0	1	3
Beaver Creek	1	0	1	2
Mayo	0	2	0	2
Stewart Crossing	1	0	0	1
Teslin	1	0	1	2
Pelly Crossing	2	1	0	3
Ross River	1	1	0	2
Destruction Bay	1	0	0	1
TOTAL	18	15	13	46

Of the sixteen communities served by Justices of the Peace, nine do not have J.P. III's and three communities do not have J.P. II's either. Consequently, there would be no regular scheduled J.P. courts. The community of Old Crow is particularly isolated in this respect, having no J.P. II's and a Court Circuit which visits twice a year. The Circuit Court can visit Old Crow only when it is reasonable to expect most of the members of the community to be present, generally July and September.

The question of whether battered women would be better served if there were more female Justices of the Peace appointed has arisen. Out of the 49 Justices listed in September 1983, 16 could be identified as female by name,

and 14 of these are Justices of the Peace I. Of the 2 female J.P. II's, one was in Whitehorse and the other was in Watson Lake. This representation does appear to be somewhat disproportionate - women represent approximately one half of the J.P. I's and only one tenth of the J.P. II's.

E. Statistics Available

There are no statistics available with respect to the number of charges dealt with by the court system as the result of a spousal assault. It is the impression of the Judges that there are few common assault charges brought to court. Statistics available from the Yukon Department of Justice indicate that during the 1982 calendar year, there were 79 convictions made as the result of assault charges, and 67 charges were dealt with "otherwise", for example, by a stay of proceedings, withdrawal or dismissal of charges. There were 59 applications made for Peace Bonds during that same period, however not all these applications would be as the result of a spousal assault. Given the impression of the Judges that few spousal assault charges appear before the courts, the proportion of the charges mentioned above which resulted from spousal assault would probably be very low.

The reasons for the low incidence of spousal assault charges appearing in the courts are not known. They could include any or a combination of: non-reporting to the police, police discretion in laying or not laying a criminal charge, or the dropping of a charge prior to the court process. It is too soon to see whether the new Crown and police initiatives will result in the laying of a greater number of charges, and too soon also to judge whether the more stringent requirements required to drop a charge will result

in more of the charges laid being actually processed through the courts.

F. Sentencing Options

For the few charges of assault which do result in convictions, what sentencing options are there available to the Judges in Yukon? The most commonly used sanctions would be a term of probation, a prison sentence, a combination of both probation and imprisonment, or a fine. Restitution can be used as an option in Yukon, but there is currently no Fine-Options program available. The Judges (and Crown) are willing to entertain the idea of specifying a compulsory course of treatment as part of a total sentence. There is at present one such program recently established on a pilot project basis.

Statistics from the Yukon Justice Department show that during the 1982 calendar year, there were 17 assault charges and 12 charges of sexual assault which received sentences of imprisonment at the Whitehorse Correctional Centre. Three assault charges resulted in terms of imprisonment subsequent to the non-payment of a fine. It cannot be assumed, however, that the cases recorded at the Correctional Centre arise from the 79 charges recorded by the courts during that same year. It could, perhaps, be stated that relatively few assault charges in Yukon are dealt with by the application of a prison sentence. The resulting conclusion might then be that many are dealt with by terms of probation or fines.

Generally speaking, once they do get to court, spousal assaults are not dealt with any more leniently than other forms of assault, and may, in fact, be treated more severely because of the relationship between the parties. There are,

however, some factors which may be taken into account in sentencing for cases of spousal assault, and these include the perception of "the sanctity of marriage" and under what circumstances it is justifiable to separate the parties, possibly against their will, for the "general good" of society.

G. The Crown

As previously mentioned, there is no Attorney General in Yukon. The Yukon's Attorney General is therefore the Attorney General of Canada, represented by his Regional Director who is also the Crown Attorney for Yukon.

Towards the end of 1983, the Crown Counsels in both Yukon and Northwest Territories received some direction from the Federal Ministry of Justice with respect to the procedures which should be undertaken in cases of spousal assault. The point was specifically made in this communication that the procedure and policies under which the RCMP would be operating and the philosophy behind the Crown's activity should be substantially in agreement with one another. This should ensure that the actions of the RCMP and the Crown are complementary. Essentially, the direction contained the following:

> That many spousal assault cases involved Native people, and while it might be suggested that the tolerance of spousal assault may be greater in the Native community, the desire for the protection of the law is held equally strongly by Native and non-Native women. At the same time, it was acknowledged that there are few facilities for Native women, and a "forced prosecution could place her life and family in jeopardy".

The general philosophy behind the direction was to take the responsibility for criminal prosecution out of the hands of the victim, and to proceed with the case "in the name of the Crown", irrespective of the wishes of the victim.

The use of Peace Bonds as an alternative to the laying of formal criminal charges should be discouraged, with the protection of the victim being provided for in a Judicial Interim Release Order.

The victim should be informed of the terms of the Interim Release, if any, and if she has gone to another community, the nearest RCMP detachment should be informed of the conditions.

Specifically for Prosecutors, the document recommended:

That a full review of bail conditions take place, taking into account the protection of the victim.

That the victim be properly prepared for the court appearance, encouraged to testify, and that she be aware of and contact the community agencies available to assist her.

If the case is not suitable for prosecution, then charges may be stayed or dropped but only subsequent to discussion with the Regional Director and one of the General Counsel in Ottawa. The termination of a case short of prosecution is to be considered only in exceptional cases and is to be made on behalf of the Crown and not of the victim.

If an adequate sentence is not achieved, an appeal should be pursued by the Crown.

A report should be prepared on the anniversary of the implementation of the new procedure, and sent to the General Counsel in Ottawa (this would occur in late December of 1984).

The above policy was to be implemented in late December of 1983, and its effect is not yet known, neither is it known to what extent the public is aware of this more aggressive policy with respect to prosecutions, paticularly in the more remote communities. What effect the policy will have, or has had, on the rates of reporting assaults to the police is not clear either.

H. Discussion, Court System and Crown

This section will identify some of the concerns expressed with respect to the court system and the role of the Crown. The concerns mentioned emerged from discussions held with court and agency personnel, as well as community members.

i) Availability of Service in Small Communities

The Circuit Courts visit the outlying communities relatively infrequently. There are Justices of the Peace in many communities to deal with minor or urgent matters, but the powers extended to the Justices of the Peace vary according to their "level". J.P. I's do not "sit" and are not empowered to hear bail applications or applications for Peace Bonds. With respect to

Judicial Interim Release proceedings, the RCMP officer in charge of a detachment has limited powers to set bail conditions, essentially limited to "keeping the peace", together with a bail forfeiture of $500 as a result of a failure to appear in court. If the RCMP (who also act as Crown Attorney under certain circumstances) feel that stronger conditions are required under a Judicial Interim Release Order, an accused is transported either to Whitehorse or to a J.P. with sufficient powers. It appears that the degree of protection accorded to women who have been assaulted by their spouses may be less in the small communities than in Whitehorse, simply because the procedures required, for example, to set conditions on a Judicial Interim Release Order, are more difficult to set in motion.

ii) Frequency of Service in Small Communities

If an offence cannot be heard by a Justice of the Peace, a not guilty plea is entered or Legal Aid is requested, then it is dealt with in Circuit Court, which might entail a delay of several months. The more aggressive prosecution of spousal assault cases, both by the RCMP and the Crown would ideally require that the charges be dealt with quickly. The effectiveness of prosecution is likely to be diminished where the delay between the charge and the court process amounts to several months. The delay can be even longer if the court process involves a plea of not guilty, followed by a trial, pre-sentence report and sentencing. In these cases the process could easily be spread over several Circuits.

This is important, because the intent of the new procedures with respect to the laying of charges in cases of spousal assault appears to be: to encourage reporting by assaulted spouses; to encourage intervention through the court process by treating the matter as a criminal offence, similar to offences between non-related parties; and to have some preventive effect on the likelihood of future assaults by demonstrating that such behaviour will no longer be tolerated by society. This is not possible when delays in proceeding through the courts give the impression that the court system is either unresponsive to, or unable to deal with, spousal assault cases.

iii) Preparation for Court Appearance

The directive sent to the Crown Attorneys specifies that the woman be properly prepared for the court appearance, and that she be aware of and have contacted the community resources available to assist her. This is realistic in Whitehorse, where there are several social service agencies as well as the Transition Home to assist. In other Yukon communities, this is not the case. In communities other than Whitehorse, the most prominant social service is likely to be the Department of Human Resources, which, for a variety of reasons, is not always favourably viewed by women in distress, particularly if they have children. The Native Courtworkers travel to communities generally only when the Circuit Court is scheduled to "sit". There are the Public Health nurses and Alcohol and Drug Service workers representing either the Department of Human Resources or the Native Alcohol and Drug Abuse Program, but none of these have women as their primary interest

group. On a practical level, this means that the Crowns may find it difficult to ensure that women are properly prepared and have contacted resources available to assist them, for the simple reason that there are none.

iv) Lack of Sentencing Options for Convicted Spouses

As already mentioned, the most frequently used sentencing options in cases of assault would be a fine, a term of imprisonment, a term of probation or a combination of these. While there are treatment programs for those who abuse alcohol, there are none for those who abuse their wives. Mental Health Services in Whitehorse can provide counselling but this is currently done on an individual basis, and Mental Health Services does not offer an organized program for batterers. Generally speaking, "counselling" is provided by the probation officers to those who have been sentenced to a term of probation, however, there are no probation officers in communities other than Whitehorse, Watson Lake and Mayo. Probation officers travel very infrequently to other communities, and cannot therefore provide effective counselling or supervision to their clients. The only Correctional Centre is in Whitehorse, and does not yet provide a program for assaultive inmates, neither is there support or supervision offered subsequent to an inmate's release. The court system therefore does not have many resources which it could use in determining effective sentencing options.

v) Changes in Procedure

There have been some concerns expressed about the recent changes in procedure, particularly in relation to the discouragement of the use of Peace Bonds in favour of a more aggressive prosecution by criminal charge. Some of these concerns can be traced back to a well-publicized case in Ontario where a woman who had been assaulted was sentenced to a term of imprisonment because of a refusal to testify against her spouse. It is felt that many women would prefer to be able to make use of the Peace Bond procedure in preference to laying a criminal charge.

It has been expressed strongly over the years, that women are entitled to the fair protection of the law, and that marriage does not provide a husband with a license to batter his wife. The Peace Bond option has not been effective in controlling men who batter, and the practice of dropping criminal charges has made women vulnerable to coercion and manipulation by their husbands. It has been demonstrated in Ontario that more vigorous prosecution of men who batter their wives is somewhat successful in both reducing further battering and in increasing reports of assault. The stance taken in this report therefore, is to support the initiatives taken by the police and the Crown. This does not mean that the concerns about the new procedures should be ignored, but it does mean that they should be dealt with by an approach which does not require the return to the status quo of a few years ago. It is suggested later in this report that these

concerns may best be dealt with through an effective public education and information program.

I. SUMMARY, COURT SYSTEM AND CROWN

The court hierarchy in Yukon includes the Supreme Court, the Court of Appeal, and the Territorial Court. The great majority of cases of assault, including spousal assault, would be dealt with by the Territorial Court.

There were, as of January 1984, 46 Justices of the Peace in Yukon, 28 of whom were empowered to hear requests for Peace Bonds or Judicial Interim Release Orders. There are three communities whose Justices of the Peace either do not "sit" or do not have the authority to hear applications.

There are no statistics collected by the courts which could give a specific record of the number of spousal assaults dealt with.

The most frequently used sentencing options would be a term of imprisonment, probation, a fine, or a combination of these. There is only one pilot program specifically designed to deal with batterers, consequently even with a willingness expressed by the courts to order compulsory treatment, such options are only recent and of limited availability.

The Crown has received direction from the Attorney General of Canada with respect to the procedures which should be undertaken in spousal assault cases, and this direction is very much in line with the RCMP's current practice.

A lack of support services for women in the communities outside Whitehorse has been identified.

The court system may not be seen to be effective in smaller communities because of the infrequent court service and the delays which can occur between first appearance and subsequent sentencing.

Where a sentence of either a term of imprisonment or probation has been passed, there is little effective supervision or counselling available to the offender because of the infrequent contact between the probation staff and their clients, and the lack of support services available for released inmates.

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RECOMMENDATIONS/THE COURT AND CROWN

There were some concerns expressed about the court system, particularly about the delays in having charges dealt with by the courts and the apparent lack of control over an individual charged with a violent offence. There is concern also about the potential ill-effects of the police practices now in use as well as about the more stringent requirements which must be met before a charge can be dropped. These latter concerns are addressed first in this section.

Police Practice (Peace Bond Applications):

The new thrust on the part of the police and Crown is to discourage the use of Peace Bonds in preference for the laying of criminal charges in cases of spousal assault.

Similarly, Judicial Interim Release Conditions are to be requested in preference to Peace Bonds in controlling individuals who have been charged as the result of a spousal assault. There have been concerns expressed that women may be more reluctant to report cases of assault to the police once they know that they are unlikely to be able to obtain a Peace Bond, but should proceed with formal charge.

Dropping of Criminal Charges by the Crown:

Concerns have been expressed also about the more stringent requirements which must be met before a charge can be dropped. In the past, it has been possible for the victim to request that the charge be dropped, but this is no longer the case. Charges can now be dropped only by the Crown, and only in exceptional circumstances and subject to consultation with another authority.

The question that arises here is whether the status quo should be maintained (the application of Peace Bonds which are poorly enforced, and the easier withdrawal of charges laid) or whether the new procedures should be properly supported. The bulk of both evidence and opinion supports the more aggressive use of criminal sanctions in combatting spousal assault, and this is also the view taken in this report. It must be recognized, however, that changes in attitude do not occur overnight, and a great deal of public education and information dissemination is required in order to encourage acceptance and proper use of the Justice system. This information-dissemination and educational process has so far been lacking, particularly in the smaller communities. While the need for public legal education has been addressed elsewhere in this report, the following should be considered as a Court responsibility.

It is recommended that:

2A i) Court personnel become actively involved in providing legal information and information about the court process to the public. This should include the Judiciary, the Crown and the RCMP where appropriate, as well as Justices of the Peace. This could perhaps be done as part of the Circuit Court's activities at relatively little expense. And

ii) this information include explanations of the new procedures in effect with respect to spousal assault cases, as well as some indication of the reasoning which takes place in arriving at a sentencing decision.

2B If it proves impractical to provide workshops or information sessions during the Court Circuits, the court personnel should nonetheless become involved in information dissemination through the public Legal Education Committee, or whatever body becomes established to fulfill the Legal Education role.

Sentencing Options:

The above recommendations would apply also to the provision of information about the options which are available in sentencing. It has been reported that many women are reluctant to proceed with criminal charges because they do not wish their husbands to either receive a criminal record or go to prison. There are a number of options available ranging from dismissal of charges, through suspended sentence and probation to a sentence of imprisonment. In other words, it may be assumed by a victim that an appearance in court on an assault charge will automatically result in imprisonment. This is certainly not the case

judging by the statistics available from both the courts and the Correctional Centre.

Another point which has emerged with respect to sentencing is the lack of options specifically developed for people sentenced as a result of the commission of a violent offence, including an assault on a spouse. While it is not entirely the responsibility of the courts to develop sentencing options, they are in an ideal position to encourage their development. The use of a probationary sentence with an order to attend treatment for example, requires both that a treatment exist, and that the Crown and Judges are willing to make use of it. Insufficient use of a program very often results in its failure, and insufficient encouragement from the courts does not predispose either individuals or agencies to put a great deal of effort into program development. It is therefore recommended that:

2C When providing information about the court process, an outline of the possible outcomes and sentencing options available to the courts is included, as well as the possibility of court-ordered treatment.

2D The Judges and Crown become more involved in the development of treatment programs which would be acceptable to the courts.

Judicial Interim Release:

The procedures recently introduced by the RCMP and Crown require that Judicial Interim Release Orders be used in preference to a Peace Bond in order to both control an accused before court appearances and to protect the victim. Generally speaking, the restrictions which can be placed on an individual through the use of a Judicial Interim Release

Order are greater than those which can be applied by means of a Peace Bond. Further, the conditions for the arrest of an accused as a result of a violation or even suspected violation can be more stringent. On the other hand, conditions for a Judicial Interim Release Order other than recognizance without sureties must be set by a Justice of the Peace at a "show cause" hearing. In Yukon, this procedure requires the services of a Justice of the Peace II (as does a Peace Bond application). As outlined in this report, it appears that as of September, 1983, there were three Yukon communities without the services of a Justice of the Peace II.

It is therefore recommended that:

2E The Department of Justice examine the distribution of Justice of the Peace services in Yukon with a view to determining the practicality of the use of either the Judicial Interim Release or Peace Bond provisions of the Criminal Code to control persons accused of an assault on a spouse.

2F It be ensured that all communities have reasonable access to the services of a Justice of the Peace II or III.

Justice of the Peace Training:

It has been stated that the Justices of the Peace are not to be considered to be "quasi-lawyers", but as people who give "common sense" decisions. As such, the amount of legal information they receive is limited. The recent initiatives with respect to the treatment of those charged as the result of a spousal assault have some practical implications, as well as legal ones - for example, the direction received by

the RCMP and Crown to press criminal charges, and to use the conditions of a Judicial Interim Release Order to control the accused before a court appearance. If it was formerly the practice to make use of Peace Bonds to control people accused of spousal assault, it may be in order to emphasize the preferred use of Judicial Interim Release Orders and associated procedures in future training of Justices of the Peace.

It is therefore recommended that:

2G Emphasis be placed in training for Justices of the Peace on the preferred use of Judicial Interim Release Orders in cases of spousal assault.

Related to the above is training surrounding the dynamics of spousal assault. In considering applications for release, a Justice must take into account the likelihood of further attack in placing conditions upon the accused, for example in preventing communication between the accused and the victim or witnesses. (Justices of the Peace cannot hear applications where imprisonment is requested). Although spousal assault is <u>charged</u> as any other assault, the dynamics behind the spousal assault may well be different, and should be taken into account in setting release conditions.

It is therefore recommended that:

2H The dynamics of spousal assault be included as part of an upcoming training session for Justices of the Peace, as well as information about possible treatment programs which either are already, or may become available in the future.

21 Community groups and individuals with some expertise in areas related to spousal abuse be involved in the development and delivery of such training. This might include the staff of the Yukon Women's Transition Home, Mental Health Services, Yukon Family Services and the Correctional Centre and Probation Branch.

Court Delays:

There has been some concern expressed about the amount of time it can take between the laying of a criminal charge and its processing through the courts. This applies mainly to charges which are heard in Circuit Court, either because there is no "sitting" Justice of the Peace, or because of the severity of the charge. In Whitehorse, the situation does not seem to be quite as severe, particularly when people who are to appear in court are already in custody. When accused persons are remanded in custody before a court appearance, there is an attempt made to dispose of the matter as quickly as possible. In communities outside Whitehorse, the delays can be related to the infrequency of the Court Circuit which can be compounded as a result of the necessity to prepare pre-sentence reports for sentencing, or to obtain legal advice. It is beyond the scope of this review to suggest how the situation could be remedied, but there are some suggestions which could be made as follows.

The Justice Department should ensure that there are sufficient Justices of the Peace in outlying communities with sufficient powers to minimize the number of offences which have to be held over to the Circuit Court.

As far as possible, the Court party should spend some time in the community before court-day, particularly the Crown

Prosecutors and lawyers, to ensure proper case-preparation and briefing of clients.

Response of Courts Administration:

Courts administration expressed some concern about the tone of the preceding comments. Several statements are seen to be either incorrect or very susceptible to misinterpretation.

It should be emphasized that JP appointments are recommended by the Judicial Counsel, not by the Department of Justice. Justices are required to be impartial and so to suggest that service would improve if more Justices were female strikes at fundamental judicial principles.

The Courts see any direct role in the development of treatment or education programs as inappropriate for them. They do, however, accept as positive and appropriate the suggestion that they provide information, support and encouragement to others who develop and implement programs.

Concern was expressed that there is an underlying suggestion in the report, albeit perhaps unintentional, that spousal assault is an offence in a class by itself requiring particularly expedient processing. The courts administration does not accept that this should be the case. Court schedules and circuits are determined by the frequency and volume of cases of all types and can and are adjusted to meet fluctuating demands.

3. THE CORRECTIONAL INSTITUTION

There is one correctional facility in Yukon, situated in Whitehorse. The Centre provides for the custody of both men and women serving sentences of two years or less. The facility is used also to house those who have been remanded in custody while awaiting trial, transfer to a Federal penitentiary or mental institution.

The population at the centre ranges between approximately 55 and 90 in number, with an average of about 65. The sentences being served are usually short, about 30 to 90 days, and the Centre receives between 450 and 600 admissions a year.

A. Statistics

No statistics are routinely collected with respect to the number of inmates who have been sentenced as the result of a spousal assault. During the 1983 calendar year, statistics provided by the Yukon Department of Justice indicate that 17 males had served sentences as the result of incidents of assault, however, no conclusions can be drawn concerning the number of incidents of spousal assaults which might be included in this figure. In any event, the proportion of sentences as a result of assault is not high, representing about 4% of all admissions.

B. Programs

The programs of relevance to this report would include any programs designed for men who have either been sentenced

for spousal assault or who had such behaviour identified as a problem during their sentence. This identification would occur during case conferences with staff, or individual counselling sessions. There are few full time program staff at the institution, and programs designed for batterers would likely be delivered by either the Correctional social worker or the part time psychiatric nurse.

There are no programs at this time which deal specifically with batterers, although the need has been identified by both the social worker and psychiatric nurse. There are several inmates who exhibit assaultive behaviour both to their wives and others, however, they have not all been sentenced directly as a result of this behaviour. The assaultive behaviour therefore may be identified almost as a side issue. Similar to alcohol abuse, it can be a behaviour which may contribute to an inmate's problems, but not necessarily be the immediate cause of his incarceration. As previously stated, there are programs which address alcohol abuse, but not wife abuse.

An attempt is now being made at the Correctional Centre to identify the best way to address the problem of wife abuse within the Insitution. It is thought that this might be to treat the subject as part of a larger program designed to deal with emotional development and anger control, rather than to provide a specific focus on spousal abuse. This more general approach is likely to encourage a wider attendance.

C. Release Conditions

Inmates are eligible for parole after they have completed one third of their sentences, and decisions with respect

to parole applications are made by the Federal Parole Board. Parole decisions take a long time to occur, and it is unlikely that inmates will apply for parole unless they are serving long sentences. Inmates are released after two thirds of their sentences have been served, as a result of the accumulation of "good time". In some cases, inmates can be "pre-released" to allow them to take up employment or alcohol treatment at Crossroads in Whitehorse for example.

Inmates who are released generally receive no supervision or support unless a probation order has been attached to their total sentence, which is not infrequent. As previously mentioned, however, most of the probation officers are located in Whitehorse, and there may be little in the way of support in their home communities. This lack of supervision and support has particular importance in the light of the plans to develop a program to deal with assaultive behaviour in the institution. What is there in the community to support an inmate who has taken part in such a program?

D. Discussion

This section will present some of the questions which have arisen with respect to the role of the institution in dealing with men who assault their wives. The topics were identified after discussions with institutional personnel, as well as those from other agencies.

i) The Appropriateness of Programming Within the Institutional Context

The institution is much more involved with male than female inmates, thus the services to battered women

would be indirectly provided by giving assistance or treatment to men who assault their wives. It is the question of programming for batterers which arises here.

It has been questioned whether a prison sentence is appropriate for batterers, and consequently, whether any institutional programs are appropriate. It is thought by some professionals that the better sentencing option would be to attach a requirement for treatment to a probation order, thus making treatment available in the community while an individual is under supervision. The following points can be made in reference to this question:

Institutional staff report that many instances of assaultive behaviour emerge, not as the reason for sentencing, but as one of many problems demonstrated by an inmate. Spousal assault can be dealt with in the institutional setting <u>even if it is not the reason for the sentence being served</u>.

Some aspects of an institutional program will be absorbed by inmates who are serving very short sentences.

Some inmates will attend the program simply because it is available in the institution, whereas they may be reluctant to attend and learn from a community program.

The offering of an institutional program does not preclude the development of a program in the community. Essentially, because of the reasons for sentencing, the

programs may well be dealing with two different populations.

There is no reason why an inmate could not begin a program while in the institution and continue it subsequent to release.

The reality is that if spousal assault is now to be dealt with more severely as a criminal matter by the courts, some people will be sent to prison as a punitive measure, and possibly as a deterrent for others, regardless of sentencing philosophies held by other professionals. It may make a certain amount of sense to accept this reality and support programming accordingly.

ii) <u>The Lack of Support and Follow-up Services in the Community</u>

There are no support programs available to inmates released into the community, whether these inmates have been released after a course of alcohol treatment or imprisonment. Some inmates may have a probation order attached to their sentence of imprisonment, but little supervision is available unless the inmate returns to Whitehorse, Mayo or Watson Lake. These terms of probation would allow an offender to be re-arrested subsequent to a violation of the order, but would offer little in the way of support or follow-up.

E. SUMMARY, THE CORRECTIONAL INSTITUTION

There is one correctional facility in Yukon, situated in Whitehorse. The Centre deals with all security classifications, inmates serving sentences of imprisonment under two years, people remanded in custody while awaiting trial, and inmates awaiting transfer to a Federal or other institution.

The Centre has a relatively small population of about 65 on average. There are between 450 and 600 admissions a year, and the majority of the sentence lengths are short, about 30 to 90 days.

No statistics are routinely collected in the institution with respect to the number of inmates who have been sentenced as the result of a spousal assault. There were 17 cases of assault during the 1983 calendar year, but it is not known how many of these were spousal assaults. This represents about 4% of all admissions.

There are no programs currently offered which deal specifically with spousal assaults, although there are plans to develop a program to deal with assaultive behaviour and emotional development in general. This program would be relevant to those who have been convicted as the result of a spousal assault, and also to those who have such behaviour identified as a problem but not as the immediate cause of their imprisonment.

There are very few supervision and support services to inmates who are released from the institution, unless a probation order has been attached to their total sentence.

Even in these cases, supervision is likely to be infrequent because of the little contact between the probation officers and clients in communities other than Whitehorse, Mayo and Watson Lake.

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RECOMMENDATIONS/THE CORRECTIONAL INSTITUTION

It has been mentioned in this report that the Correctional Centre does not maintain statistics recording the number of inmates who have been sentenced as a result of s spousal assault. The statistics record only assaults, not the relationship between the parties. It is therefore recommended that:

3A The Correctional Centre assess the feasibility of acquiring and recording statistics with respect to the number of inmates who have been sentenced as the result of a spousal assault, and that such data be collected if at all possible.

It is the impression that there are not many inmates sentenced to a term of imprisonment as the direct result of a spousal assault, but that there is a significant number who do have such behaviour identified as a problem. This would emerge during the classification and counselling process. It is reported that there is an attempt being made to develop a program to deal with the problem of spousal assault as a part of a larger program concerning emotional development and a range of assaultive behaviours. It is recommended that:

3B The Correctional Institution continue to develop such a program to be implemented as soon as possible, and that this program be developed to include those who have been sentenced directly as the result of a spousal assault, as well as those who have been sentenced for other offences but have such assaultive behaviours identified as a problem during their sentence.

It is likely that Mental Health Services of the Department of Health and Welfare Canada will be developing a program for the treatment of batterers. If this is the case, the preference may be to provide the program outside the Correctional Centre, possibly as part of a sentencing alternative, or attached to a probation order. This does not necessarily involve a duplication of service, because of the potentially different client populations. If this program occurs, it is recommended that:

3C Attendance at this treatment program form part of an acceptable pre-release plan for inmates at the institution, and that attendance at the program be considered for day-release also.

Community Support on Release:

The lack of follow-up and support services in the community has been identified as a problem. Inmates who have a probation order attached to their sentences can be supervised by a Probation Officer on a regular basis only if there is a Probation Officer available in the community (Whitehorse, Mayo or Watson Lake). Inmates who have completed their sentences do not require supervision, but they may need follow-up services, particularly if they have been involved in a treatment program in an institution. It

is not feasible to provide such follow-up in each community to all inmates through a full time employee. It may, however, be practical to make a formal or informal arrangement with private or government agencies to provide some community support. This does not necessarily require a highly qualified person in the academic sense. It is therefore recommended that:

3D The Correctional Institution attempt to set up a support system which would be available to inmates on release, either on a formal or informal basis. This could be provided through volunteer activity, or through other government or private agencies (Alcohol & Drug counsellors, Social Service workers and Indian Bands, for example).

A special initiative in this regard has been suggested because it appears that although these resources may now be available in the community, they are not used to their fullest potential.

4. ADULT PROBATION SERVICES

Adult probation services are provided through the Yukon Government Department of Justice. The staff include a Chief Probation Officer, Senior Probation Officer and four other Probation Officers in Whitehorse, as well as one each in Mayo and Watson Lake. The Department is responsible for parole supervision also, subsequent to the closure of the Federal parole office in late 1983. In addition to the "standard" probation supervision provided, the Probation Department is responsible for the Community Work Service program. There is no Fine-Options program in Yukon at this time.

A. Statistics

The Probation Branch instituted a new intake system April 1, 1984 which identifies the various criminal code offences. The number of clients on probation as a result of assault convictions since that date is available. The Branch can also produce statistics on the number of clients whose conviction related to spousal assault. The general impression is that there are very few who have received terms of probation as a sentence for spousal assault, however, there are clients who have assaulted their wives but have been sentenced as the result of some other offence. The situation in this respect is similar to that reported by the Correctional Institution -- that such behaviour is often identified as an issue to be dealt with subsequent to its identification through counselling sessions or case conferences.

B. Programs

No programs are offered by the Probation Branch specifically for men who assault their wives, although referrals are made from time to time to Mental Health Services or for alcohol treatment. In some cases, both marriage partners may be seen by a probation officer where spousal assault is involved.

The Probation Branch has participated in a number of training sessions sponsored by the R.C.M.P. and Mental Health. The Branch supports the initiatives of other agencies and considers this to be a priority issue as identified by participation on the Ad Hoc Committee of Family Violence.

The Probation Branch is not greatly involved with the supervision of inmates on release from the institution unless a probation order has been attached to the sentence. They may be involved in preparing pre-sentence reports for the courts which might include recommendations for treatment.

For clients who do receive a sentence including a term on probation, the Branch introduced an offender classification system in January of this year. Offences of spousal assault are placed in an intensive category which require the probation officer to establish contact with the client at least twice monthly. Offenders in the intense category in most instances will be involved with another agency such as Alcoholics Anonymous or Mental Health.

C. Discussion

The Probation Branch deals mostly with sentenced offenders. The services to battered women are therefore indirect, being delivered through supervision, counselling and referral for clients who have either been sentenced as the result of a spousal assault, or who are identified as assaulters subsequent to their sentencing for another offence. There are concerns with respect to the Probation Branch's role however, and these are discussed here. These points emerged from discussions with probation staff as well as community members and agency personnel.

i) Supervision

If an individual receives a sentence of a term of probation as a result of a spousal assault, the meaning of that sentence varies in practice depending on the community in which the offender is living.

There are only two communities other than Whitehorse which have a "resident" Probation Officer -- Mayo and Watson Lake. The probation officer visits other communities very infrequently, and possibly only when the Circuit Court also visits that community. This means, in effect, that an individual who has been placed on probation for a year may see his probation offficer only twice during that period. In reality, the only hold that the sentence has over such an individual is the "breach" procedure, as breach of probation is itself a criminal offence. Not only is there little in the way of supervision, but there is also little counselling being offered. In a small

community, the probation officer might be the only person identified to give such counselling.

This "thinness" of coverage of smaller communities does a disservice both to the victims of an assault who have every right to expect something to happen as a result of a court appearance, and to the offender himself, who is not receiving the service which the sentence might have entitled him to expect.

Response of Probation Branch:

The Probation Branch advises that as an ongoing practice they review statistical caseloads and consider placing probation officers in communities where sufficient support justifies an increased level of service. The Branch recently hired a native person on contract to conduct research into enhancing the Probation function and visibility in rural communities. The Probation Branch views expansion of service to be a priority item. Methods to bridge gaps are continually being explored.

D. SUMMARY, PROBATION

There are eight probation officers and a Chief Probation Officer in Yukon, all of whom except two are situated in Whitehorse.

The Probation Branch has recently begun to keep statistics which indicate how many clients have been convicted as the result of a spousal assault.

The Branch offers no program specifically for men who have been convicted of a spousal assault, although referrals can be made to other agencies such as Mental Health Services.

Counselling is provided to clients by the individual probation officers.

The Branch is responsible for parole supervision as a result of the closure of the National Parole Office in late 1983. Supervision is provided to inmates released from the Correctional Centre only if there has been a probation order added to the sentence.

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RECOMMENDATIONS/ADULT PROBATION

Supervision of Sentenced Adults:

If a husband is placed on probation as a result of an assault, there is some concern about how effective the supervision can be when there are no Probation Officers in the local area to whom the individual can report. Further, it is generally recognized that Probation Officers do not provide supervision only, but also a certain amount of support and counselling to their clients. While it might be possible to have a probationer report to the police purely for supervision purposes, it is unlikely that the police would be appropriate counsellors, not necessarily because they are unsympathetic as individuals, but because of the potential conflict with their role as law enforcers.

It is therefore recommended that:

4A The Probation Branch continue to review the number of probation clients existing in communities outside of Whitehorse, Mayo and Watson Lake, to examine the

contact that the Probation Officers actually have with them during the course of their sentence. This review should include the number of clients who have had a term of probation added to their sentence of imprisonment.

4B i) Consideration be given to placing a Probation Officer in communities where there are sufficient caseloads and/or few other services available, and

ii) If a full time Probation Officer is not warranted, a part time or contract arrangement be considered;

iii) In making such arrangements, full consideration be given to individuals who do not fulfill the formal educational requirements of the Public Service Commission but who reside in the community and have a strong desire to work with persons in conflict with the law.

iv) Attempts be made to recruit Native people to fulfill this role in communities where there is a large Native population.

4C In determining the need for probation services, particular consideration be given to the Faro/Ross River area.

Statistics:

The Probation Branch has recently begun to keep statistics with respect to the number of clients who have been sentenced to a term of probation as the result of a conviction arising from a spousal assault. It is therefore recommended that:

4D The Probation Branch include in its information system data on:

i) the number of people sentenced to a term of probation as the result of a conviction for spousal assault;

ii) the agencies to which these clients may have been referred; and

iii) the length of the sentence and the type of supervision provided.

In conversation with the Probation staff, it became apparent that assaultive behaviour against a spouse was often identifed as a problem, but not specifically related to the conviction -- similar to the way that alcohol abuse may be identified. There is no way of knowing how many clients might fall into this category over the period of a year. It is therefore recommended that:

4E The Probation Department ensure that whenever assaultive behaviour against a spouse is identified as a problem, it is indicated on the client's file, so that counselling or treatment can be sought, and also to assist in the collection of statistical information;

4F In order to assist Social Service and other personnel in program planning and implementation, the Probation Department undertake a review of client files for a specified period to determine the number of clients who have been either counselled about their assaultive behaviours, or who have had such behaviour identified as a problem.

Response of Probation Branch:

The Branch advises that through the offender classification system introduced in January of this year the type of supervision provided to an offender in relation to the offence are clearly identified. Offences of spousal assault are placed in an intensive category which requires the probation officer to establish contact with the client at least twice monthly. Offenders in the intensive category in most instances will be involved with another agency such as Alcoholics Anonymous or Mental health Services. The Branch also instituted a new intake sytsem April 1, 1984 which identifies the various criminal code offences. The length of sentence is recorded during the intake procedure. The practice of known assaultive behaviour against a spouse in all instances is recorded on a client file. The Probation Branch introduced probation standards in summer 1984 which require the idenfitication of both the federal agencies and the individual to whom referrals are made.

Correctional Programming:

Staff from the Whitehorse Correctional Centre are currently trying to develop a program for inmates to address the problem of assaultive behaviours and emotional control, which would also include wife-assault. If this program is developed and implemented, there is a need for some follow-up and support service to inmates on release. Such a service should logically follow if a probation order has been attached to a sentence of imprisonment. It is therefore recommended that:

4G The Probation Branch and Correctional Centre coordinate their resources to ensure that inmates who are released from the institution under the terms of a probation order, and who have received treatment for assaultive

behaviour against their spouses receive some follow-up and support service in the community.

Staff Training:

It became apparent during the course of this review that the Probation staff required further information about wife-battering, particularly in areas relating to the treatment of men who batter. This need will become even more pressing should programming be developed at the Correctional Centre or by other agencies to provide such treatment. Probation staff cannot give adequate support, counselling or supervision to their clients unless they are properly informed. It is therefore recommended that:

4H i) The Probation Branch identify the topic of spousal assault as a priority area, to coincide with the initiatives being taken by the Crown and RCMP, and

ii) Information and training sessions continue to take place, possibly in conjunction with the RCMP, Correctional Centre, Mental Health Services or other agencies, and

iii) Information and training sessions involve, as far as possible, the staff of the Yukon Women's Transition Home and other agencies with an interest in program development for either battered women or for men who batter their wives.

5. THE LEGAL AID PROGRAM

The Legal Aid program is administered by Government of Yukon under a cost-sharing agreement with the Federal Government. The Legal Aid Act for Yukon has been in effect since November 1976.

The governing body of the Legal Aid program in Yukon is a three member committee appointed by the Commissioner of the Territory. The members are originally appointed to three year terms, but they can be re-appointed.

The committee maintains three panels of lawyers, one consisting of Yukon residents, and the other of non-residents. A Duty Counsel accompanies the Territorial Court when it is on circuit, but does not attend court in Whitehorse.

The latest available annual report for the Department of Justice (1982-83) indicates that the program provided assistance on 746 matters, at an average cost of $754 per charge.

A. Legal Aid Coverage

The Legal Aid program covers the cost of divorce proceedings, as well as some civil matters and a variety of criminal offences, including indictable and some summary convictions offences. The relevance of the Legal Aid program to women who have been assaulted can be defined in two major ways: firstly in its application to petitions for divorce, and secondly in the way that the Legal Aid process assists offenders in proceeding through the courts.

B. Application Procedures

The Legal Aid clerk carries out most of the processing of the Legal Aid application forms, and her office is in the court building in Whitehorse. Forms are available also in the Correctional Institution and the Territorial Court.

Outside Whitehorse, the availability of the Legal Aid forms is limited, and there are no Legal Aid agents in the communities. Consultation with the Legal Aid Clerk is available through the territorial government's Zenith telephone line.

Once an application is received in Whitehorse, the matter is referred to the Legal Aid lawyer accompanying the regular court circuit who acts as Duty Counsel and represents those requiring legal assistance.

C. Discussion

The relevance of the Legal Aid program to women who have been assaulted can be defined in two major ways: firstly, in its application to petitions for divorce, and secondly in the way that the Legal Aid process assists offenders in proceeding through the courts. Women who require assistance are eligible for Legal Aid in divorce cases, and these petitions would be heard in the Yukon Supreme Court. There has been some concern expressed about the way the Legal Aid program is applied in criminal court or in Justice of the Peace court. Duty Counsel does travel with the Circuit Court to assist offenders appearing there, but there is, in reality, little access to legal assistance to offenders

appearing in Justice of the Peace Court, although minor offences may be eligible under the terms of the Act. While this does not have relevance to battered women directly, it may have an indirect effect by delaying a court hearing until the next Court Circuit, which may not be for several months. As previously mentioned in this report, it is in the woman's interest tc have charges dealt with as quickly as possible through the courts.

D. SUMMARY,LEGAL AID

The Legal Aid program is governed in Yukon by a three member committee appointed by the Commissioner of the Territory.

The program does cover the cost of divorce proceedings, as well as some civil matters and a variety of criminal offences, including indictable and some summary convictions offences.

The Legal Aid clerk who processes the applications is in Whitehorse, and there are no agents for Legal Aid in the small communities.

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10. RECOMMENDATIONS/THE LEGAL AID PROGRAM

The Legal Aid program in Yukon has recently undergone a review by a committee appointed by the Minister of Justice. It is not known what the effects of this review will be, or what effects may result from upcoming legislation. It is difficult, therefore, to make

recommendations about the Legal Aid program. The program is most likely to be of direct use to battered women who wish to initiate divorce proceedings. Other aspects of the Legal Aid program are more indirect, for example, by providing advice and legal representation to a husband who has been charged with an assault. It is to the benefit of the woman to have charges dealt with quickly and effectively by the courts, and it is this which has caused some concern about the Legal Aid program.

The concern which has been expressed is as follows:

> That Legal Aid is effectively not available to people appearing in Justice of the Peace Court, consequently, the hearing is held over until the Circuit Court which might entail some considerable delay.
>
> It was impossible to fully investigate this concern during the study, consequently, no recommendations can be made. It is suggested, however, that this receive some attention in order to discover whether it is justified, and whether corrective action is required.

Response of Legal Aid:

The administrator of the legal aid program points out that the preceding report contains several comments which should be clarified.

All counsel of the Defense Bar are located in Whitehorse. The decision of law firms as to where to establish practice is one over which government has no control. Given this situation it is unrealistic to expect counsel to be available at each and every sitting of local JP courts. Nonetheless it is not accurate to state that legal services

are not available outside Whitehorse as the Legal Aid office may be contacted from any Yukon community through the government's Zenith telephone line.

In discussing the relevance of the Legal Aid program to the problem of spousal assault it is important to remember that at the point legal proceedings begin and Legal Aid becomes relevant no finding has been made. The report's focus on services to victims of spousal assault has an unfortunate implicit lack of attention to the rights of the accused and to the fundamental presumption of innocence until guilt is proven.

6. THE YUKON NATIVE COURTWORKER SERVICE

The Native Courtworker Service is based in Whitehorse, where all the staff are located. The staff consists of the Executive Director, two Native courtworkers and a secretary-receptionist. The Executive Director administers the program and performs some courtwork himself. The Courtworker Service receives funding through a grant from the Yukon Government, 50% of which is recovered from the Federal Department of Justice. The grant for the 1982-83 fiscal year was $93,500. The agency has a nine-member Board of Directors, elected for a one year term.

A. Role of the Courtworkers

The Native courtworkers are available to assist Native people who are either appearing in court or who need legal information before or after court. In addition to providing information about legal matters, courtworkers provide information about other agencies and can help Native people to find their way through various Government bureaucracies such as the Department of Health and Human Resources. Native Courtworkers, because of their community contacts and knowledge of the Native community, are in an ideal position to assist Native women who are involved in a relationship where they are being battered.

B. Statistics

The Native Courtworker Service does not keep specific statistics with respect to the number of spousal assault cases dealt with. Such data is currently aggregated with other forms of assault. The Service is open to considering

more specific data collection on the basis of a definition worked out in collaboration with other elements of the justice system.

C. Discussion

i) Role of Courtworkers and Frequency of Service

The Native Courtworker Service provides a dual role in cases of spousal assult. They are in a position to give information to both the husband and wife in a relationship should an assault case come to court. The courtworker's role would be to ensure that the spouse who had been charged with assault received proper representation and had sufficient information about the court process. The courtworker would be in a position also to ensure that the wife knew what the possible outcomes of the court process might be, and to provide referral to other agencies if necessary. In some cases, an assaulted spouse might wish to speak with a courtworker before even reporting an incident of assault to the police, and in fact, there have been cases where a courtworker has reported cases of spousal assault to the RCMP on behalf of the wife. While these roles place the courtworker in an ideal position to advise couples, the courtworkers are able to visit the communities only infrequently, usually when the Circuit Court is also present.

ii) Role in Public Legal Education

The Native courworkers have not had the resources available to provide a great deal of public education

within the Native community, although they may be in an ideal position to do so because of their rapport. From time to time, the Executive Director has made broadcasts on the Northern Native Broadcasting Network on the radio but the agency is not really in a financial position to be able to develop materials suited to the Native community.

D. SUMMARY,NATIVE COURTWORKER SERVICE

The Yukon Native Courtworker Services is a private agency, funding for which is effectively cost-shared on a 50% basis between the Federal and Yukon Governments.

The agency has no specific statistics available with respect to the number of spousal assaults with which they have become involved.

There are two Native courtworkers, an Executive Director and a secretary/receptionist, all of whom are based in Whitehorse. The courtworkers visit the communities generally when the Territorial Court is on circuit.

Courtworkers can perform a dual role with respect to spousal assault cses, as they are able to ensure proper information and service are delivered to both the person charged with the assault and the victim.

From time to time, the Executive Director has become involved in direct public legal education by broadcasting on the Northern Native Broadcasting service.

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RECOMMENDATIONS/THE NATIVE COURTWORKER PROGRAM

The major concerns about the Native Courtworker program surrounded the role of the Courtworkers in Legal Education, and the absence of statistics with respect to spousal assault. The Courtworkers are in a unique position because they can assist both parties in an assaultive relationship: the victim and the assailant.

Role of the Courtworkers in Legal Education:

The Courtworkers are not extensively involved in Legal Education in the Native community, which is regrettable. On the other hand, there are three Courtworkers to cover the whole Yukon, with scant resources. The organization has neither the financial resources or personnel to develop appropriate materials for use in Native communities. The Executive Director is currently a member of the Public Legal Education Committee, and if this Committee becomes organized in the future, and acquires some resources, it may be the most appropriate vehicle for the involvement of the Native Courtworker Services as an agency in the Legal Education process.

Statistics:

The Native Courtworkers are in a position to collect their own statistics with respect to the problems expressed by their clients, as well as the type of court assistance provided. It would appear that these are not required by the Department of Justice for funding purposes, and neither is an annual report. It is the opinion of this author that the Native Courtworker service should not be instructed to collect specific statistics with respect to spousal assault until the Government of Yukon instructs its own Departments

to collect them, at which time statistics obtained from the Native Courtworker Service using a common definition of spousal assault would be extremely valuable.

7. COMPENSATION FOR VICTIMS OF CRIME PROGRAM

The Compensation for Victims of Crime Act came into effect in Yukon in 1975, at which time it was administered by the courts. In late 1980, an amendment to the Act was passed to transfer the administration of the program to the Workers' Compensation Board, and this arrangement is still in effect. The program is cost-shared between the Federal and Yukon Governments (75% Federal, 25% Yukon).

A. Provisions of the Program

The program provides for the financial compensation of victims of offences for medical and dental benefits, lost earnings, pain and suffering and certain types of personal property such as clothing and eyeglasses. The amount of compensation to be paid is assessed under the guidelines used by the Workers' Compensation Board for injuries experienced in the workplace. The maximum allowable compensation is $15,000 as a lump sum payment, or $25,000 if the payment is made either in installments or a combination of lump sum and installments. The minimum claim that can be considered or paid is $100.

B. Eligibility

Spouses and children would be eligible under the provisions of the Act if they were injured as a result of an assault by their husband or father. The offences for which compensation can be paid include assaults ranging from common assault to sexual assault and murder, as well as a number of other offences resulting in personal injury to a victim. Victims are also eligible for compensation if the

injury was acquired while making, or assisting a Peace Officer in making, an arrest.

An order for compensation can be made ". . . whether or not any person is prosecuted for or convicted of an offence as the result of an occurrence . . . ." It is therefore not necessary for a charge to be laid in order to be eligible for compensation. Unlike the Alberta legislation, it is not specifically mentioned in the Act that the police must be informed that an offence has taken place.

While spouses are eligible for compensation under the provisions of the Act, it is the practice of the Board not to award compensation if the woman is known to have returned to live with the assaulting spouse. This provision has been made in order to prevent the assaulting spouse from gaining access to the money awarded in compensation for his actions.

C. Procedures

A victim of an offence fills out a four page application form which requires information outlining the circumstances surrounding the alleged occurrence, names and addresses of witnesses, police action, earnings lost, etc. Once completed, the application form is submitted to the Workers' Compensation Board which then sets a date for the hearing (the Board generally meets once a month). At least ten days prior to the date of the hearing, the Board causes notice of the hearing to be given to the applicant, to the person whose act or omission was, or is alleged to be, responsible for the occurrence, and to any other person who appears to

the Board to have an interest in the matter. It is not necessary for the victim to attend the hearings in person.

Once a decision has been reached by the Board, a copy of the decision is served on the parties to the proceedings.

D. Use of the Program

There have been few applications for compensation made to the Board. During the 1981-82 fiscal year, payments amounted to $24,166 and there were thirteen claims compensated between 1976 and 1982. According to the Board, there are few applications and even few enquiries about the program.

E. Discussion

It is likely that there are many more victims eligible for compensation than apply, and certainly, more women who would be eligible for compensation as a result of an assault by their husbands. The reasons for the infrequent use of the program are really unclear, however some are likely to be related to poor publicity with respect to the program, unavailability of application forms, difficulty in completing the application forms, and some of the provisions of the Act itself. Another factor may be the degree of informal screening which occurs in alerting people to the program's existence. Many potential referral sources such as the RCMP or Justices of the Peace were unlikely to refer people to the program when they considered an injury to be minor in nature. For example, a victim of an "assault causing bodily harm" would be referred, but the victim of a "common assault" would not.

i) Publicity

It has been suggested in a previous report that poor publicity with respect to the program may be partly responsible for its infrequent use (McLaughlin 1983). During the course of this survey, it became apparent that many of the professionals, including counsellors and social workers, were either not aware of the program, or were not aware of how the program could be useful to their clients. Pamphlets describing the program were displayed in many of the offices of the Department of Human Resources, the RCMP, and the Legal Aid office in Whitehorse, as well as the Department of Indian Affairs. This is an improvement over the situation described by McLaughlin in 1983, however, there are still problems:

Where the pamphlets were displayed, the display frequently consisted of a single pamphlet pinned to a bulletin board, thus making it impossible for a potential client to take the pamphlet home and read it.

The pamphlets themselves are printed in "sophisticated" shades of beige and brown, which tend to merge with the background colour of the bulletin boards themselves.

Where pamphlets were displayed, there was generally no indication of where the application forms could be picked up in the local community (the RCMP, the social workers, the Territorial

agent, the Justice of the Peace and Band Offices have the forms in many communities).

If the program is to be properly used by victims of offences, then it should be properly publicized and made accessible to people who might make use of it, and recommendations are made below in this regard. There are, however, some points which can be made about the content of the pamphlet itself:

The pamphlet does not make it clear that it is not necessary to have laid a charge in order to be eligible for compensation.

The language used in the pamphlet may be difficult for some people to understand, for example . . . "The victim of the crime must not be culpable in relation to the crime."

The pamphlet refers to the "schedule to the Act" in order to define the offences for which compensation is applicable, which does not give much information to potential applicants who have only the pamphlet at hand.

As a general principle, documents giving information about programs should be understandable to everyone who is likely to require the information, and should not make reference to information which is neither included nor easily available. People may well not know where to get a copy of "the schedule to the Act".

ii) The Application Form

The application form itself is a daunting document to those who are not used to dealing with bureaucracy. It further may mislead potential applicants with respect to who is, and is not, eligible for compensation:

> The pamphlet states that compensation can be paid for "pain and suffering", but the application form is almost entirely devoted to categories such as loss of wages, medical expenses, etc. If a victim is claiming for "pain and suffering", where is she to describe this on the application form?
>
> While the pamphlet specifies that a person does not have to be charged in order for a victim to be compensated, the implication is made on the first page of the form. Further, while the Act itself does not specify that police action must be taken, this too is implied by the format of the application form.
>
> There is no indication on the form whether all the requested information is required by the Board under all circumstances. For example, is it really necessary for a person who may be claiming one week's loss of wages to include a tax return for the previous year?
>
> Many women either do not work outside the home, file joint tax returns with their husbands, or have their husbands fill out their forms for them.

This means that a woman who wishes to claim compensation for an assault committed by her husband may have to obtain the forms from him, or not be able to obtain them at all. Assuming a lack of access, what does she do about the information requested by the Board?

The requirement for the provision of tax returns, apparently in all cases, may appear to some to be an invasion of privacy.

These concerns may appear to be exaggerated, however, a woman who is claiming for "pain and suffering" may find herself unable to fill out the form at all with the exception of her name and address and that of her spouse. This is not likely to predispose a potential claimant to submit the form for consideration by the Board.

iii) <u>The Stipulations of the Act Itself</u>

Some of the stipulations of the Act itself may deter women from applying as the result of a spousal assault.

The Act specifies that the Board send a notice of hearing to the person who is alleged to have committed the offence. A woman may not wish her husband to be notified for fear of retaliation.

The Act specifies that if a person has been charged and found guilty of the offence, this can be taken as proof that the offence did occur, and also that the offence was responsible for the victim's injuries. This,

apparently, does not mean that the Board need not send a notice of hearing to the assaulting spouse where a conviction has been obtained.

F. SUMMARY, COMPENSATION FOR VICTIMS OF CRIME PROGRAM

The Compensation for Victims of Crime Program has been in existence in Yukon since 1975, but has received few claims for compensation and even few requests for information.

Women who have been assaulted by their husbands would be eligible for compensation under the provisions of the Act.

It is not necessary for a charge to be laid in order to be eligible for compensation under the Act.

The maximum compensation payable is $15,000 as a lump sum, or up to $25,000 if payment is made in installments or a combination of installments and lump sum payment.

The program is not well publicized, and there are some concerns with respect to the application form and the provisions of the Act itself.

* * * * *

RECOMMENDATIONS/COMPENSATION FOR VICTIMS OF CRIME PROGRAM

There are several recommendations which might be considered in relation to this program. These fall into the

categories of publicity, the format of the application form, and some of the provisions of the Act itself.

The general reaction of the program's administration to these recommendations is outlined at the end of the section.

Publicity with respect to the Program:
It is recommended that:

7A The Workers' Compensation Borad review the publicity provided for the program with a view to ensuring:

i) that the displays of pamphlets describing the program provide the opportunity for prospective claimants to pick up a pamphlet and take it home. This could be done by providing boxes containing the pamphlets similar to those provided for programs in banks for example. These boxes could either be displayed on counters or pinned to bulletin boards.

ii) wherever the pamphlets are displayed, mention also be made of where in the local community the application forms are available. Wherever possible, the application forms should be provided alongside the pamphlets.

7B The Workers' Compensation Board give some consideration to:

i) the development of a larger poster for display in windows or on bulletin boards. Additional publicity might be gained also if the poster design was adopted by competition, for example within the schools;

ii) the development of poster displays aimed at particular groups, for example battered women. This would fit in well with the initiatives adopted by the RCMP and Crown, emphasizing that spousal assault is a criminal matter;

iii) altering the colour of the pamphlets to make them more eyecatching.

7C The Workers' Compansation Board make the pamphlets more useful by:

i) altering the style of language used, so that people with English as a second language, or little education, could understand them;

ii) removing references to information not included in the pamphlet, for example, "the schedule to the Act". The "schedule to the Act" should be appended to the application form to make it more readily accessible;

iii) including the information that a charge does not have to be laid in order for a victim to be eligible for compensation.

7D The Workers' Compensation Board widen the distribution of the pamphlets.

7E Some attempt be made by the Board to explain to professionals and others who might come into contact with victims of crime, how the program can be useful to their clients, and how to assist people in filling out the form.

7F The Workers' Compensation Board stress the importance of referring victims of all eligible offences to the program. The point should be stressed that the

decision to compensate is made by the Board, NOT the source of referral.

The Application Form:
It is recommended that:

7G The application form be modified to better reflect the provisions of the Act, for example, that compensation can be paid for "pain and suffering", and that these categories be included in the form.

7H Some indication be given on the form of what to do if some categories of information are not available, for example, tax returns.

The Provisions of the Act:
It is recommended that:

7I An assessment be done of the feasibility and legality of amending the Act to allow that the finding of "guilty" in a court of law against the person accused of committing an offence be counted as sufficient evidence, and that in these cases at least, the assaulting spouse need not be given notice of a hearing by the Board.

7J Consideration be given to eliminating the requirement that a notice of hearing be given to an assaulting spouse if there is fear of retaliation on the part of the victim, particularly if the incident has already been reported to the police, and a police investigation has taken place.

7K The above two recommendations apply also to the dissemination of information about the decisions of the Board.

Response of Workers' Compensation:

The Workers' Compensation Board, as administrator for the Compensation for Victims of Crime Program, accepts as valid some of the report's criticisms of the program's publicity. The Board is willing to redesign and change the pamphlets and application forms to incorporate recommended changes, particularly those which address content.

It is the experience and belief of the Board that efforts to publicize the program will have no great effect as individuals are not interested until they become victims. The colour of pamphlets or awareness of school children through a poster competition are not seen as particularly appropriate foci for attention. Efforts to increase awareness of the program among professionals who might come into contact with victims of crime are seen as useful and appropriate.

The Board is wary of the report's recommendation that the Act be changed to allow the finding of "guilty" in a court of law against the person accused of committing an offence to be counted as sufficient evidence and that an assaulting spouse in such cases need not be given notice of a hearing by the Board. The Board feels that such a process would violate human rights as everyone should be entitled to be heard, including the assaulting spouse.

8. THE YUKON GOVERNMENT DEPARTMENT OF JUSTICE

The preceding sections have dealt with some of the specific services and programs with which the Yukon Department of Justice is either directly or indirectly involved. Direct involvement is demonstrated through the Justice Department's administration of the Probation Branch and the Correctional Institution for example, while involvement is more indirect with respect to policing and the Native Courtworker Services.

A. The Women's Bureau

There is one other area which should be mentioned with respect to the Department's concern with services to women, and this is the Women's Bureau. In Yukon, the Minister of Justice is also the Minister with responsibility for the Status of Women, therefore, the Women's Bureau is located within the Justice Department. The Bureau is staffed by one person who reports to the Deputy Minister of Justice.

The mandate of the Women's Bureau is to consolidate and expand government efforts to achieve equal rights and opportunities for women.

The coordinator of the Women's Bureau was not very much involved with the establishment of the Yukon Women's Transition Home in Whitehorse, but is in a significant position to be able to assess the impact of government policies on women in general. For this reason, the Women's Bureau bears mentioning as a possible source of assistance to battered women, not through direct service, but through the possibility of policy development and assessment.

B. The Justice Department's Structure and Other Services

The Justice Department is responsible for a number of other programs and branches which are not of particular relevance to this report. These include the Coroner's Office, the Office of Land Titles, Legislative Counsel and Legal Services. There are, however, aspects of the Justice Department's function and structure which are relevant to this survey -- some because of their notable absence.

i) Coordination Between Programs

There appears to be a lack of formal coordination in programming within the Corrections area. Both the Chief Probation Officer and the Superintendent of the Correctional Institution report to the Deputy Minister, but there is no one below this level with an overall coordinating responsibility for Corrections programs. This has relevance for the possible development of Institutional programs which might need a follow-up component in the community. Similarly, there does not appear to be a specific philosophical framework within which objectives and long-term planning can occur. Any initiatives which are taken by the Justice Department with respect to programs to combat spousal assault or family violence in general, must be long-term, as well as short-term in nature. This may prove difficult in the apparent absence of long-term objectives.

ii) Research

There is no research division within the Department, and data collection beyond the most basic level is

lacking. Effectively this means that program development must occur in a vacuum. Program planning cannot (or should not) occur without adequate information, and this should ideally be collected over the long term. As an example, while it is possible to obtain information about the total number of offences dealt with by Justices of the Peace, it is not possible to obtain information about the types of offence. Such information would have been relevant to this review because of the involvement of Justices of the Peace in dealing with summary conviction offences in the communities, and consequently, for Justice of the Peace training.

The lack of attention paid to research within the Justice Department will make it difficult to evaluate future programs should they be developed because evaluation components are best built-in during the planning stage -- not after a program has been running for a lengthy period of time. In the interests of economy alone, it is better to place resources where they are most efective, and it is not clear how this can be assessed given the facilities presently available within the Justice Department. The use of outside consultants and evaluators is not necessarily the most effective way to determine program effectiveness or to direct program development. Given the continuing nature of many programs, such assessments can be better done "in house" given the proper resources.

C. SUMMARY,JUSTICE DEPARTMENT

One area with a potential influence on the services provided to battered women is the Women's Bureau, located in the Justice Department under the authority of the Minister of Justice as the Minister responsible for the Status of Women in Yukon. Generally speaking, this service would be indirect, and delivered through the assessment of Government policies and programs with respect to their potential influence on women in general.

A lack of coordination in programming as well as a lack of a long-term philosophy within which objectives could be developed has been identified.

The lack of a research component has been identified. This is a problem with respect to basic data collection, as well as in relation to program planning and evaluation. Its relevance to the development of programs to combat spousal assault and family violence in general, is with respect to the assessment of the most effective use of resources and the development of future program direction.

* * * * *

RECOMMENDATIONS/JUSTICE DEPARTMENT

The Yukon Justice Department has recently undergone an organizational review and it is not known what the implications of this might be, however some recommendations are made here in the hope that they will be considered. It

is recognized that the Justice Department has a number of responsibilities other than those discussed in this report, however, it is hoped that the recommendations which follow will fit into the overall functioning and structure of the Department.

Coordination (Programs):

As previously mentioned, there is little apparent coordination within Correctional Services below the Deputy Minister's level, particularly in areas related to programming. This may have implications for the development of programs within both the Correctional Institution and the Probation Branch. If a program to deal with assaultive behaviour is developed in the institutional setting, there should be some continuity of service provided by the Probation Branch for those inmates who have a probation order attached to their sentence. While it may not be practical to develop a separate program to be operated by Probation staff in each community, it may be practical to ensure that all full or part time Probation Officers are aware of institutional programming to the degree that they are able to continue the process if required.

It is therefore recommended that:

8A A mechanism be developed within the Justice Department to have responsibility for program coordination, particularly within areas related to Corrections, and

8B The coordinator of the Women's Bureau within the Department be consulted on matters with an ultimate impact on women (for example, the development of programs for batterers).

Coordination (Statistics):

Coordination is required also with respect to the collection of statistics. This function might usually be carried out through a research component, however, there is no such facility within the Justice Department. Statistics are currently collected by the Courts and Administrative Services Branch of the Department, and the system is in the developmental stage.

Coordination is required because of the different sources from which statistics originate. Data with respect to convictions or charges resulting from assaults may be collected by the RCMP, the Courts, the Probation Branch, and the Correctional Centre. Information from the RCMP is used by the Courts, which in turn transmit information to the Correctional Centre through the information contained in a warrant of committal. Given that there is already a link between the information collected by the RCMP and other agencies within the Criminal Justice System, it may be possible to track what happens to charges resulting from a spousal assault from the police level through to the sentencing process. Such a capability would be invaluable in obtaining a true picture of what happens to cases of spousal assault, and would greatly assist in program development and resource allocation.

It is therefore recommended that:

8C A priority be placed on the collection and coordination of statistical information with respect to spousal assault, to permit the tracking of a charge resulting from an assault on a spouse from the police level through the courts and sentencing,

8D Although spousal assault is not an official classification under the Criminal Code, an attempt be made to incorporate the information on such assaults collected by the RCMP into information used by the Courts, Probation Branch and Correctional Centre to allow such tracking to occur.

Statistics from Justice of the Peace Courts:

It is not possible at this time to discover the types of charge dealt with by the Justice of the Peace Courts, although it is possible to determine the total number of charges. Such information is important to the development of training for Justices of the Peace with respect to spousal assault, as well as for program development in the communities outside Whitehorse.

It is therefore recommended that:

8E The statistical system being developed within the Justice Department be designed to enable statistics to be collected specifically with respect to the charges dealt with by the Justices of the Peace Courts.

This last recommendation will gain importance as an increasing number of Justices of the Peace III are appointed.

II YUKON GOVERNMENT DEPARTMENT OF HEALTH & HUMAN RESOURCES

The Department of Health and Human Resources is probably the greatest source of financial and other assistance to battered women, along with the elements of the Criminal Justice system previously discussed. The Department is responsible for the administration of health programs which are under the Yukon Government's jurisdiction. These programs are provided for through the Yukon Health Care Insurance Act, the Yukon Hospital Insurance Act, the Vital Statistics Act, the Medical Travel and Cancer Acts.

The Human Resources Branch of the Department is responsible for the administration of social service programs in accordance with the provisions of the Child Welfare Act, the Social Assistance Act, the Day Care Act, and the Pioneer Utility Grant Act. Juvenile Probation Services are also provided through this branch in accordance with the Corrections and Juvenile Delinquents Acts.

The Programs administered by the Department which would have particular relevance to battered women are the Health Care Insurance and Hospital Insurance Acts, the Medical Travel Act and the Child Welfare and Social Assistance Acts. These programs are further outlined below.

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1. HEALTH SERVICES:

A. Health Care Insurance (Medicare)

The Yukon Health Care Insurance plan was introduced in April of 1972, and with the Yukon Hospital Insurance plan provides a wide range of medical and Hospital services to residents of Yukon. Transients, visitors and tourists in Yukon are not eligible for coverage. The insured services include those rendered by a physician, surgeon or qualified health professional which are medically required.

All residents are required to register for Health Insurance, and failure to register is an offence which under Summary Conviction is liable to a fine. Failure to register however does not exclude a person from coverage.

Premium assistance is available on application to the Branch, based on taxable income for the year. Either full or partial premium assistance is available on an annual basis but only to people who have been resident in Yukon for at least 12 months.

B. Hospital Insurance Services

The Hospital Insurance Services Plan was instituted in July 1980, and is responsible for the payment of services received by Yukon residents in a hospital setting.

C. Medical Travel

This program pays the full travel cost for Yukon residents to the nearest Medical Centre, regardless of the patient's

ability to pay providing that the service has been certified to be necessary by a Yukon physician, and that the service is one which is insured by the Health Care plans.

The plan provides for the payment of airfare needed in order to enable a patient to obtain treatment which is available only outside the Territory, on approval of the Medical Officer of Health. Under certain circumstances the plan may pay also for an escort.

This program does not apply to Status Indian people, who would apply through Northern Health Services.

D. Discussion

There were no particular concerns expressed with respect to the Health Insurance plans specifically. There were concerns expressed about the types of medical treatment and facilities available in the communities outside Whitehorse, but these are discussed in the section concerning services provided by the Federal Department of Health and Welfare.

2. HUMAN RESOURCES:

The Director of Human Resources is responsible for the Vocational Rehabilitation Program, Macaulay Lodge (Senior's facility), Alcohol and Drug Services and Intake and Assessment (Social Assistance). The Director of Child Welfare is responsible for the Youth Services Centre, Juvenile Probation Services, Placement and Support Services, Community and Family Services, and Field Services in Communities outside of Whitehorse.

Within the Whitehorse area, social workers carry a relatively specialized case load, for example a worker who assists with clients with respect to Social Assistance matters does not also deal with clients with problems related to Child Welfare concerns. Outside Whitehorse, social workers carry generalized case loads, and provide a range of services for which the Department is responsible.

A. The Social Assistance Program

This program comes under the jurisdiction of the Director of Human Resources. In the Whitehorse area, the program is delivered by a Supervisor of Social Services, three full time social workers, two part time social workers and one social service worker (as of September 1983). Outside of Whitehorse, the program is delivered by the social workers in the communities, along with the other programs for which the Department is responsible. The current case load in the Whitehorse area is approximately 65 to 70 clients to one worker.

The general philosophy of the Social Assistance program is to provide people in need with sufficient assistance to maintain a minimum level of health and well-being while maintaining the client's capacity for self-dependence.

i) Eligibility and Provisions of the Program

Assistance would be available to women who have separated from their husbands, initially without formal separation procedures. Eventually, a woman might be expected to proceed through the Court system to gain maintenance payments from her husband (enforceable to some extent through the Maintenance Ordinance). The establishment of a separate residence would be expected also in order to demonstrate that a separation had taken place.

Women at the Yukon Women's Transition Home would be eligible to apply for assistance while at the home, depending on their future plans. If they qualify for assistance, they can receive money for "incidentals" and transportation if required while at the home.

Women who wish to leave a community outside Whitehorse in order to come to town, for example to the Transition Home, can have their transportation costs paid by the Department. If the community is close to Whitehorse, they may be driven into town by a social worker.

The decision to provide social assistance is generally made by the individual social workers without the necessity to refer the matter to a supervisor. Delay in decision making is therefore minimized. If immediate assistance is required, for example for food,

a voucher can be issued immediately. The social assistance cheques are mailed out to clients and this can take a week or so depending on the mail service. Cheques can be mailed to either a street address or to general delivery.

The Social Assistance Program provides for food, clothing and incidentals, as well as rent. Daycare subsidies are available, as well as funding for "recreational" babysitting costs.

Status Indians who are eligible for social assistance must apply through the Department of Indian Affairs or through their Band Social Assistance Workers. In Whitehorse, social assistance is delivered to the Kwanlin Dun Indian Band members by the Band. Status Indians who are not members of this Band can apply through the Department of Indian Affairs in Whitehorse.

ii) Statistics

No statistics are available to reflect the number of women who are requesting social assistance as a result of a separation caused by a spousal assault.

B. Child Welfare

The Director of Child Welfare is responsible for the delivery of programs for the protection and welfare of children in Yukon. Generally speaking, social workers in Whitehorse are likely to become involved with battered women as a result of a Child Welfare concern - it is not a

"presenting problem" for most clients. One estimate of the proportion of clients who are currently, or have been previously involved in a battering relationship, is as high as one third.

No statistics are kept by the child welfare workers with respect to the number of clients they deal with who have been involved, or are still involved in battering relationships. This is perhaps because although the staff are able to provide counselling and advice on a number of "family life" topics, their priority and mandate remains the Child Welfare area.

Referrals to Social Workers in the Child Welfare area come from many sources, including RCMP, social assistance staff, physicians and the Transition Home as well as by self-referral, schools and daycares.

Child Welfare programs are delivered through the Department of Health and Human Resources to all Yukon residents, regardless of Indian Status.

C. Alcohol and Drug Services

Alcohol and Drug Services are the responsibility of the Director of Human Resources. Treatment programs include outpatient counselling, group therapy, assessments, referrals, follow-up and consultation. The Detoxification Centre is in Whitehorse, and provides twenty-four-hour non-medical detoxification services, referral and support. The prevention programs focus on education, training, media campaigns, resource development and consultations. The Department of Health and Human Resources provides funding through a contribution agreement to Crossroads, a privately

run residential treatment centre, also situated in Whitehorse.

Alcohol and Drug Services are staffed by a Coordinator, a Senior Addictions Worker, two full time and two part time addiction workers and a Community Addictions Worker. The Supervisor of the Detoxification centre supervises six full time and four part time recovery unit attendants.

There are Community Addictions Workers placed in some communities outside Whitehorse who report through the area social workers and supervisors.

Alcohol and Drug Services are important to women who have been battered for a number of reasons. Many women who are involved in such relationships have alcohol problems themselves, and some instances of assault occur when either one or both parties have been drinking. In cases where battering occurs only when alcohol is involved, alcohol treatment would appear to be a logical step. Alcohol treatment for men is frequently "prescribed" by the Courts, and the Crossroads treatment centre is used as a resource by the Correctional Centre.

The staff of Alcohol and Drug Services also provide direct service to women who are staying at the Transition Home in Whitehorse. One of the Counsellors holds "open" group meetings in the Transition Home twice a week. The meetings are "open" in the sense that women who have been previously resident in the home can attend, and women are free to attend or not as they wish. While the purpose of these group meetings is to deal with problems related to alcohol and drug abuse, they are run flexibly enough to cover a

number of other topics which might be of concern or interest to the participants.

There are no statistics available to indicate how many clients of Alcohol and Drug Services have been, or continue to be, involved in battering relationships.

D. Funding of Other Agencies

The Department of Health and Human Resources provides services to battered women indirectly by funding other agencies. In 1983-84, these included the Yukon Family Services Association ($56,126), the Transition Home ($73,528) and the Crossroads Treatment Centre. The Department also makes funds available to the Child Development Centre and the Rehabilitation Centre in Whitehorse. The Family Services Association, the Transition Home and the Crossroads Treatment Centre are all discussed separately as Private Agencies later in this report.

E. The Department of Health and Human Resources in Communities Outside Whitehorse

The policy-direction, central administration, personnel services and program evaluation functions are all based in Whitehorse. Outside Whitehorse, Yukon is divided into Northern and Southern Regions, each of which has a Supervisor. As already mentioned, outside Whitehorse the social workers carry a generalized case load rather than a more specialized one. Not all Yukon communities have their own social worker, and some program delivery is carried out by part time staff.

<u>The Southern Region</u>:

The supervisor for the Southern Region is based in Whitehorse, and there are social workers placed in the communities of Watson Lake, Teslin, and Haines Junction. The worker who covers Carmacks is based in Whitehorse.

The distribution of staff is as follows:

Community Office	Staff	Other Communities
Watson Lake	1 social worker 1 social service worker 1 clerk typist (part time) 1 community addictions worker (contract/part time) 1 community addictions worker (contract/part time)	 in Upper Liard
Teslin	1 social worker 1 clerk typist (part time) 1 community addictions worker (contract/part time) 1 community addictions worker (contract/part time) 1 social service worker (contract/part time)	 in Carcross in Carcross
Haines Junction	1 social worker 1 clerk typist (part time) 1 community addictions worker (contract/part time)	
Carmacks/ Klondike Highway	1 social worker 1 community addictions worker (contract/part time)	in Whitehorse

The Northern Region:

The supervisor for the Northern Region is based in Dawson City, and there are social workers placed in the communities of Dawson, Faro and Mayo, as follows:

Community Office	Staff	Other Communities
Dawson City	1 social service worker 1 clerk typist (part time) 1 community addictions worker 1 social service worker (contract/part time) 1 community addictions worker (contract/part time)	 in Old Crow in Old Crow
Faro	1 social worker 1 clerk typist (part time) 1 social service worker (contract/part time) 1 community addictions worker (contract/part time) 1 community addictions worker (contract/part time)	 in Ross River
Mayo	1 social worker 1 clerk typist 1 community addictions worker (contract/part time) 1 social service worker (contract/part time)	 in Elsa

While this specifies the distribution of Human Resource staff in Yukon communities, it must be remembered that the staff cover communities other than their own, for example the office in Haines Junction also covers communities such as Destruction Bay, Burwash and Beaver Creek.

F. Discussion, Health and Human Resources

The following points have emerged as concerns with respect to the services offered to battered women by the Department. They were identified as the result of discussions with staff from the Health and Human Resources Department as well as other Agencies and individuals.

i) Image

The Department does not appear to have a positive image in all communities. It does in some. This is important because the perception of the Department affects the willingness with which people approach it. Some women are reluctant to approach the Department for assistance or advice because the Department is also responsible for "taking their children away". There were other concerns mentioned about the Social Assistance Program, however many of these could be ascribed to the general bureaucratic confusion which results when people attempt to make use of Government programs.

These views seem to apply much more frequently to the Department of Human Resources in Whitehorse. In the communities outside Whitehorse, it appears that the Department is used as a resource for a wider range of problems, possibly because of the lack of other resources in the community.

It is questionable whether there is a solution to this 'image' problem, given the mandate of the Department, however it bears mentioning because of its potential effect on the use of the Department by potential clients.

ii) Coordination

At one time, there was a liaison person within the Department who maintained contact with the Transition

Home in Whitehorse. This arrangement no longer exists. Previously also, contact between the two services was maintained almost automatically because the funding for the home required that women staying at the home were eligible for social assistance. This arrangement has now, fortunately, ceased so much of the contact between the Home and the Department has renewed again.

iii) Programs for Children of Battering Relationships

There is a need for programs to deal with children and adolescents whose parents were involved in a battering relationship. Evidence has shown that such behaviour patterns are passed from one generation to another, and that children of such relationships are more likely to become involved in similar situations themselves. Some social workers have noticed an apparent increase in battering relationships between adolescents. While there is a consensus of opinion that such programs are needed, there is no consensus about who should be providing them.

iv) Intake Protocols

The assaults which many clients of the Department have experienced frequently emerge as a side issue, and not the "presenting problem". The result is that many women may be involved with the Department without ever having the battering identified and possibly assisted. Further, it is difficult to design programs to assist battered women because the Department of Human Resources, like most other Departments, does not know the dimensions of the problem. Estimates have been as

high as one third of the clients seen. This situation might be rectified if the Intake Forms specified that questions surrounding battering should be asked, or at least that the questions be asked at some point during the involvement of a social worker with a client. Such a move would be in line with the guidelines for action expressed in the Policy Statement on Social Work Practice with Assaulted Women and Their Families (Canadian Association of Social Workers, March 1983).

v) Statistics

This is related to the point made above. The Department of Health and Human Resources does not have statistics available to indicate the number of women they deal with who have been assaulted by their husbands.

vi) Staff Training

Not all the staff employed within the Department would have received information about the dynamics of spousal assault as part of their academic training. In addition, the Department employs staff with a wide range of backgrounds, many of whom would encounter problems related to spousal assault as part of their jobs (Community Addictions Workers for example). There is currently no single person within the Department with the responsibility for staff training. Staff training needs are currently identified by a Staff Development Committee, and some "on the job" training is provided by social workers as part of their normal supervisory function. There is currently a great deal of change occurring with respect to the treatment and

support services needed by both battered women and men who batter, and the suggestion has been made that some priority should be placed on staff training in this area. Training should also be an on-going process, at least until a full range of services and programs has been established.

vii) Support Groups for Women

It is almost universally recognized that support groups are required to assist women who remain in, or who wish to leave, battering relationships. Support is also needed for women who have left the Transition Home to live on their own, particularly if they have been previously dependent on their husbands for support. There is no universal agreement however with respect to who should provide this support, particularly in communities outside Whitehorse. Agencies such as the Transition Home would require increased funding to provide this service, and the Department of Human Resources is concerned about the fostering of dependence on Government assistance which might result if that Department were significantly involved. There is also some question about whether such support is best provided by Government or a private agency from the client's point of view.

viii) Facilities in Communities outside Whitehorse

The only transition home for women in Yukon is in Whitehorse, and this is perceived to present a number of problems. Many women do not wish to leave their communities in order to find assistance and a safe place. Whitehorse represents a relatively urban area to

many people who live in small communities, and a move to Whitehorse is a big step. Few of the smaller communities have the resources to assist women who have been battered, for example there are no "safe" homes to which a woman could go; there are few sources of referral or information (many communities receive a newspaper only once a week), and even transport to other communities may present a problem. The need for resources has been identified, but again, it is a question of who should develop them?

ix) Public Information

Some Human Resources staff have identified the need for a public information pamphlet which could be used by women to help them in obtaining assistance from both Human Resources and other agencies. Many women will approach the Department for general information; for example when a woman has separated from her husband "what does she do now?" This may occur because the Department of Human Resources is the most identifiable source of help to women who are unaware of other sources of assistance. While such a pamphlet would outline the various services offered by the Department itself, it would also describe the services available through other Departments and private agencies. It would be appropriate for the Department of Human Resources to prepare such a document with respect to its own services and possibly other Government Departments, but who should prepare information of this more general type?

G. SUMMARY,DEPARTMENT OF HEALTH AND HUMAN RESOURCES

The Department of Health and Human Resources delivers the Health programs for which the Yukon Government is responsible, as well as those relating to Child Welfare matters and the Social Assistance program.

There are no particular concerns with respect to the provision of the Health Care programs.

The Social Assistance Program provides money for people in need to cover food, clothing, shelter, daycare and incidental expenses.

Women staying in the Transition Home are eligible to apply for assistance, depending on their future plans. If they are eligible, they may be able to receive money for incidentals and transport while they are at the home.

Battered women are eligible for assistance as long as there is some indication that they wish to separate, or have separated from their husbands. It is not required that they immediately initiate separation procedures or action through the courts to obtain maintenance payments, but it is expected that women who are eligible for maintenance from other sources will proceed.

Status Indians who are eligible for assistance must apply through the Department of Indian Affairs or their own Bands.

Child Welfare programs are administered by the Department to all residents of the Territory, regardless of Indian Status.

Alcohol and Drug Services are delivered by the Department, both through direct alcohol treatment and education, and through regularly scheduled group meetings conducted for women staying at the Transition Home in Whitehorse.

The Department contributes towards the funding of the Transition Home, as well as Yukon Family Services and Crossroads, the residential alcohol treatment centre.

The Department of Human Resources does not collect any statistics to reflect the number of clients they deal with who are, or have been, involved in battering relationships.

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RECOMMENDATIONS/DEPARTMENT OF HEALTH AND HUMAN RESOURCES:

There have been several concerns identified as a result of discussions with both Human Resources staff and others, however not all of these were related directly to the functioning of the Department itself. Some concerns expressed by staff referred more to the types of service that they would like to see in the community to which they could refer clients. This really can be reduced to the question of who is responsible for the provision of which services?

The first group of recommendations deals with areas for which the Department of Human Resources could be considered to be totally responsible:

Statistics:

The Department does not collect statistics with respect to the number of women and/or children dealt with as a result of a battering relationship. Battering is sometimes identified as a problem through an individual worker's involvement with a client, but is seldom identified as the presenting problem.

It is therefore recommended that:

2A The Department of Human Resources instruct social workers to follow the policy statement issued by the Canadian Association of Social Workers, that social workers should "develop a technique in history taking and documentation of evidence to facilitate early detection".

2B Where pre-printed or formatted sheets are used in history-taking or other procedures, an item be added to remind the worker to record the incidence of spousal abuse, in order to facilitate the collection of statistical information.

2C This statistical information be collated regularly (at least once a year) to document the incidence of spousal abuse among Human Resources clients in Yukon, in order to enable the Department to develop programs and allocate resources on the basis of demonstrated need.

Priority for spousal abuse:

It is recognized that the Department of Human Resources has a number of problems to deal with to which some priority must be attached (sexual and other abuse of children for example). There is however a great deal of evidence to suggest that problems arising from battering relationships are passed from one generation to another, and even from one relationship to another. Some workers have identified an increase in battering relationships between adolescents in Yukon, and it is likely that the situation will not improve without some concentrated action.

It is therefore recommended that:

2D The Department of Human Resources take advantage of the momentum generated by the initiatives taken by the RCMP and the Crown, and identify Spousal Abuse as a Departmental priority.

It is further recommended that this priority be expressed by the following action:

The identification of <u>staff training</u> surrounding Spousal Abuse as a priority by:

i) ensuring that funding is made available for in-house staff training with respect to spousal abuse, and

ii) ensuring that training workshops occur at least twice a year for field staff, at least until a full range of services and programs has been established;

iii) ensuring that all newly hired staff take part in such training sessions as they occur; and

iv) making such training sessions and workshops open to staff from private and Government agencies providing service to either battered women or men who batter.

Coordination:

The need has been expressed for greater contact between the Department of Health and Human Resources and the Yukon Women's Transition Home, with respect to the Social Assistance Program and Child Welfare matters. It is stressed that this contact should be for information purposes, and not a contact which is developed because the Department is partially funding the Home. As with a number of other concerns, the question of whose responsibility it is to develop and maintain such contact has arisen. From a practical point of view, it is recommended that:

2E A person within the Department of Health and Human Resources be identified to act as liaison between the Home and the Department, and that regular contact be re-established within the very near future.

The following recommendations deal with areas for which the Department is not totally responsible, but has a role in conjunction with other Departments and Agencies:

Support Groups:

A need for the development of support groups has been identified. Such groups are needed for the women themselves, for men who batter, and for the children of battering relationships. While the need itself appears to be clear, it is not clear who should be responsible for the development and maintenance of such groups, specifically whether such programming would be best provided by a private

or Government Agency. There have been several possibilities mentioned, including the Yukon Women's Transition Home, Correctional Services, Mental Health Services and the Department of Health and Human Resources. The Department of Health and Human Resources has the mandate to deal with Child Welfare matters, and does have some involvement in providing "Family" services, as well as in funding the Transition Home. Given this responsibility, it would seem appropriate that the Department become involved in the development of support groups for women and children. This does not necessarily mean that the Department has to provide the service itself, but it does mean that the Department should become involved in initiating the development of such groups.

It is therefore recommended that:

2F The Department of Health and Human Resources undertake to initiate discussions with the Yukon Women's Transition Home, Mental Health Services, Correctional Services, Yukon Family Services and other interest groups with a view to developing an array of support services for men, women and children who have been involved in battering relationships.

2G The Department of Human Resources be prepared to provide some funding or services if required, in order to assist in the development of such support services.

Development of Public Information:

A need for written information about the services available to women in the community has been identified. This information is needed about the Criminal Justice System as well as Social Services. The public information question is

dealt with in a later section of this report, however, there is one recommendation which can be made here, specifically with respect to the services provided by the Department of Health and Human Resources.

It is recommended that:

2H The Department of Health and Human Resources undertake to provide easily understandable written information for public use with respect to the programs and services for which the Department is responsible, and that this information be distributed to communities outside Whitehorse and to other Agencies providing service delivery or information within the Whitehorse area.

It is also recommended that:

2I This information be developed in conjunction with other Departments and Agencies which may become involved in the development of public information so that "gaps" in information do not occur, and to ensure that the styles are reasonably consistent.

For further discussion of this topic, the reader is referred to the section entitled "Public Information" in this report.

Funding:

The Department of Health and Human Resources now provides contributions to the Yukon Women's Transition Home, Yukon Family Services Association and the Crossroads Alcohol Treatment Centre. There are some expectations held about the services which should be provided by the Transition

Home, however the Home does not have the number of staff required to provide such services (development of community "safe home" networks, support groups for women, program development, child care, etc.). These services inevitably require the allocation of funds, and recommendations with respect to funding and other support of the Transition Home are discussed in the context of the Home's operation, later in this report.

Second Stage Housing:

This topic is more fully discussed in the section dealing with the Yukon Women's Transition Home.

III EDUCATIONAL AND EMPLOYMENT PROGRAMS

There are no educational or employment programs which apply specifically to battered women, although there are some which are directed to women in general who wish to re-enter the workforce (or who wish to gain employment for the first time).

This section discusses the primary and secondary school systems in Yukon, as well as the opportunities for advanced education and employment. Services provided by both the Yukon and Canada Governments are included here as both are involved in the support and provision of programs. For example, training spaces are purchased in Yukon College programming by the Federal Employment and Immigration Commission, and some financial assistance can be given to students by both Governments for the same courses, generally at similar rates (except for programs acceptable to the Student Financial Assistance Program - ie. Business Administration).

The Government of Yukon's Department of Education, Advanced Education and Manpower aims to provide primary elementary and secondary education for all school age children in Yukon, adult training and continuing education programs and manpower planning services for Yukon residents.

1. ELEMENTARY AND SECONDARY SCHOOLS

A. Schools in Yukon

In January 1984, there were 4,507 students enrolled in Yukon schools from kindergarten to grade 12.

Ten schools are located in Whitehorse; six elementary schools, three junior high schools, including grades six to nine and one high school providing instruction for grades 10 to 12.

The remaining sixteen schools in Yukon are small with endrollments varying from 6 to over 500.

B. School Committees

Yukon has school committees rather than school boards. Committee members are elected to a two-year term of office, and a school committee may request the Regional Superintendent, after consultation with the Principal, to "authorize a course of study or modification of a course of study or a textbook or other instructional material for a specified period of time." School Committees may also "advise", "make recommendations", and "request" and "discuss" a number of matters with the Regional Superintendent or school Principal with respect to such matters as the use of school time, the addition of facilities and appointments of staff. The influence of the school committee depends very much on the relationship between the committee itself and the individual school principal or superintendent

C. Curriculum

Yukon schools use the British Columbia School Curriculum with some adaptation where appropriate, thus all texts in use have been approved by the British Columbia Department of Education.

There is no policy or direction given by the Department of Education with respect to family life education or similar courses, although social studies and guidance are compulsory subjects between grades 8 and 11.

From time to time, lectures and presentations on topics of social significance may be given by members of Government Departments or Community Agencies, for example with respect to alcohol and drug abuse.

D. Discussion

The topics presented here are those arising from discussions with members of the Department of Education as well as others less directly involved in the school system.

Time Pressure:

The Department of Education reports that there is a great deal of pressure from community groups to provide more and more education in "social" areas, for example about alcohol and drug abuse. There are however only five hours in an average school day, and there is a limit to what can be added to the school curriculum without losing something else.

Public Opinion:

There is always a certain amount of public pressure to include or exclude certain programming from schools. For example, there has been some pressure placed on Whitehorse schools to continue to depict the traditional family as two (married) parents and children, despite the fact that a very large proportion of families are headed by single parents. Any attempt to include topics of "social significance" may well run into community opposition.

Corporal Punishment:

It has been pointed out that education provided within the school system regarding the inappropriateness of violence conflicts with the practices in use by the school system itself, given that Corporal punishment may be administered in Yukon schools. It should be noted, however, that some school administrators choose not to use corporal punishment in their schools and that decisions in this regard are made with the advice of the school committees.

E. SUMMARY,SCHOOL SYSTEM

Notwithstanding the above pressures of time, smallness of schools, public opinion and the use of corporal punishment in the school system itself, there is suport for the view that the subject of family violence should be dealt with at some point within the school system. The following recommendations should therefore be considered.

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RECOMMENDATIONS/ELEMENTARY AND SECONDARY SCHOOLS

In order to ensure that the subject of family violence is addressed in the school system (including the subject of spousal assault), the Department of Education must recognize along with the Criminal Justice system and social service agencies, that attitudes towards violence within the family have changed, and that assaults are neither publicly nor legally acceptable. It is therefore recommended that:

1A The Department of Education, Advanced Education and Manpower take advantage of the current interest and initiatives demonstrated by other Government and Private Agencies, and indicate that areas relating to family violence are to be treated as a priority, and efforts be made to include them in the school curriculum.

In order to ensure that students of <u>both sexes</u> receive some exposure to the topic of family violence and spousal assault, it would be best to include the topic in one of the compulsory core courses, rather than to include it as an option, or as part of (for example) the Home Economics Course where the majority of the participants may be female.

It is therefore recommended that:

1B The Department of Education, Advanced Education and Manpower attempt to include the topic of family violence (including spousal assault) in one of the core compulsory courses offered in the school curriculum.

In order to treat the topic of family violence in a manner which would be relevant to students in Yukon, it is also recommended that:

1C When providing exposure to the subject of family violence, the Department of Education urge school principals to instruct their staff to make full use of the resources available in the community, for example, to include presentations by the Yukon Women's Transition Home, Family Services, Mental Health Services, Human Resources, etc.

It is suggested elsewhere in this report that the development of materials appropriate to Yukon is essential to public awareness of the incidence and unacceptability of spousal assault. This would apply also to the schools, and while the previous recommendation would assist in this respect, it is also recommended that:

1D Department of Education invest resources in the development and adaptation of materials on spousal assault to ensure their appropriateness to the school environment.

There are several ways in which the topic of family violence and spousal assault can be addressed, however the recent initiatives demonstrated by the Crown and the RCMP have stressed the legal aspects of such behaviour. It is recommended that:

1E The legal consequences of family violence (including spousal assault) be addressed whenever the subject is dealt with in the school system.

2. HIGHER EDUCATION AND TRAINING

A. Yukon College

The Yukon College is the Territory's sole post-secondary education institution. It provides a range of programming including academic, business and applied arts, trade and technical and extension services.

The courses offered through the College vary somewhat from year to year, depending on demand and other considerations. Applicants can be accepted with or without the completion of Grade 12, and can receive some financial assistance through the Whitehorse Canada Employment Centre or the Government of Yukon.

Those courses offered at the College, which appear to have more relevance to this study include:

Basic Training and Skill Development (BTSD):
to prepare students for further training by developing academic skills up to the grade 10 level. This course is individually tailored to the student's pace, and varies in duration. College preparation is also available providing academic upgrading to Grade 12.

Employment Orientation:
is a course which is designed to assist women in self-assessment skills related to employment, to assist in the development of job search skills, and to develop coping techniques while on the job. No academic requirements are required for entry.

Options for Single Parents:
is a course with the intention of building self confidence and reliance to the extent that the participants can become employed. Most of the students are women and have been sponsored either by the Department of Indian Affairs or Department of Health and Human Resources, and have been recipients of social assistance. The course is eight weeks long and is offered once a year. The class enrollment is limited to between eight and twelve people.

Introduction to Trades and Technology:
offers women and men an overview of a variety of trades, and trades-related occupations, through four weeks of "hands on" training as well as other instruction. The course duration is 9 weeks. No minimum level of education is required to take this course.

Career Life Planning:
is a 30 hour course offered on either a full time or part time basis providing an opportunity for personal assessment and exploration resulting in a career plan which compliments overall life goals.

A variety of academic upgrading, university level, business education and administration, trades and technical training courses are available as well.

While the main Campus of Yukon College is in Whitehorse, some services are provided in Mayo, Dawson, Teslin, Carcross and Watson Lake through Community Learning Centres, and through two community facilities, one in Watson Lake and one in the Friendship Centre in Whitehorse. Two academic upgrading classes are planned for Pelly Crossing and Ross

River for the Fall of 1984. A second mobile unit will be available in 1984 which will rotate among communities, one providing small engine repair courses and one providing basic home repair. Services through the College include career counselling, assessment and admissions.

B. **Assistance Programs**

(a) Yukon Government

The Department of Education, Advanced Education and Manpower can provide some assistance to people who wish to take courses at Yukon College or outside the Territory.

i) The Training Allowance

The training allowance can be paid to people taking most full-time courses administered by Yukon College. The allowance provides $70 per week for an adult, $30 for the first and $15 for the second and subsequent dependents. A woman with two dependent children who wished to attend the college would therefore receive $115 per week.

ii) The Yukon Student's Financial Assistance Act

This Act allows the provision of financial assistance to students wishing to take post-secondary training (not upgrading) in either Yukon or other jurisdictions. Assistance can be received by students either over or under 19 years of age, however there are eligibility criteria with respect to previous education received in Yukon, as well as residence requirements which may limit its applicability.

iii) The Canada Student Loans Program

The Canada Student Loans Program, funded by the Federal Secretary of State, is administered in Yukon by the Students Financial Assistance Committee of the Department of Education.

This study did not encompass the Apprenticeship Training Program, Certification Program, Industrial Training Program, or the Employment Development Programs administered by the Department of Education, Advanced Education and Manpower, or the Special ARDA Program administered by the Department of Economic Development.

(b) Federal Employment and Immigration Commission

i) Training Programs

Under the provisions of the National Training program, the Commission is able to purchase space in training programs offered by educational institutions, as long as the programs are employment or skill-oriented. In Yukon, almost all the courses offered by Yukon College qualify for sponsorship. Courses which are not eligible include part time and leisure courses and University transfer courses.

Applicants for sponsorship may be receiving Unemployment Insurance Benefits, or can receive a training allowance at the same rate as that provided through the Yukon Government.
Tuition fees can be covered through sponsorship, and if a course is being offered outside Yukon, travel costs

can also be paid. Students receiving social assistance benefits qualify for sponsorship, however, it is not known whether the social assistance payments would be continued if the student were to attend a course outside Yukon - this situation has not yet arisen.

ii) Employment Programs

The Canada Employment and Immigration Commission is responsible for the administration of employment services and job creation programs offered through the Canada Employment Centre and Employment Development Branch Offices in Whitehorse. Outreach services are also located in Watson Lake, Mayo, Dawson City and Haines Junction.

Women who wished to seek employment, particularly in the non-traditional trades area, would be eligible to benefit from the industrial training and employment development subsidy programs offered to employers by the Employment and Immigration Commission.

C. Discussion

In considering the available programs and opportunities for training and employment, it should be remembered that the employment situation in Yukon at the moment is somewhat grim. There are few employment openings for either highly skilled or less-skilled workers. One of the consequences has been a considerable pressure placed on Yukon College for training opportunities, and there is a long waiting list for students who wish to take particular courses.

It is difficult to assess whether the programs offered at the Yukon College, or by the Yukon or Federal Governments, are adequate to fulfill the needs of women who have been battered and who wish to become self-supporting. There has been little study carried out to determine the needs of women in this situation, and of course there is little idea of the demand because there are no statistics available about battered women. It is reported that some battered women have participated in the "Options for Single Parents" program, but there is little indication of how many have participated in the other programs offered.

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RECOMMENDATIONS/HIGHER EDUCATION AND TRAINING

It is remarkably difficult to formulate recommendations which might be appropriate to this area, simply because it is so large. It covers the training needs of women as well as their employment opportunities during a period when the prospects for admission to training courses and for gaining employment are somewhat dismal. Topics that did emerge in discussions surrounding these questions were the barriers which exist for women to obtain training, particularly if they have children and no income of their own. This however is too large an area to have been properly addressed here, partly because there has been such an emphasis placed on the provision of basic justice and programs for protection and support to women who have been battered.

The only recommendation which can therefore be made at this time is that:

2A The Federal Employment and Immigration Commission and the Yukon Department of Education, Advanced Education and Manpower, identify women who have been battered by their husbands as a specific target group, and make some attempt to determine their needs with respect to employment and training programs. This assessment should take into account the financial barriers which may be encountered by women who wish to enter, or re-enter the workforce.

IV HEALTH SERVICES IN YUKON

This section deals with the services delivered by the Federal Department of Health and Welfare, specifically health centres, hospitals, nursing stations, and mental health services. For a woman who has been injured as a result of an assault by her spouse, the nursing station or hospital emergency room is often the first source of assistance and referral.

1. HOSPITALS AND MEDICAL SERVICES

A. Hospital Facilities

There are four hospitals in Yukon, situated in Faro, Watson Lake, Mayo and Whitehorse. The Whitehorse General Hospital is the largest of the hospitals and is the focal point and referral centre for acute care in Yukon and some parts of Northern British Columbia. The facility has 104 beds set up for use, covering a range of medical, surgical, pediatric and maternity services. There is an emergency department which receives about 12,000 visits per year.

B. Nursing Stations

There are two nursing stations in Yukon, in Dawson City and Old Crow. Nursing stations do not have staff physicians, and carry out community health programs and provide short term inpatient care (up to two or three days). Patients requiring more specialized services are transferred to larger centres. The nursing station in Dawson City is staffed by three nurses, and the one in Old Crow is staffed by one.

C. Health Centres

There are ten Health Centres in Yukon as follows:

Community	# Staff
* Whitehorse	6
Teslin	1
Carmacks	1
Pelly Crossing	1
* Mayo	1
Destruction Bay	1
Haines Junction	2
* Watson Lake	2
* Faro	1
Ross River	2

* The Health Centres in Whitehorse, Mayo, Watson Lake and Faro do not provide emergency care; the services are limited to public health programs, children's immunizations, etc. Patients requiring emergency services go to the Hospital or Nursing Station emergency section. Other Health Centres do provide emergency nursing services.

Health Centres provide community health programs and emergency services. They do not have inpatient beds, and patients who require inpatient care are referred to hospital facilities.

D. Health Stations

There are five health stations in Yukon, in Upper Liard, Lower Post, Burwash Landing, Beaver Creek and Carcross. They serve as clinics from which visiting doctors and community health nurses can provide treatment or community health services on a regularly scheduled basis.

E. Other Services

i) Private Physicians

Private physicians are not part of the Federal Department of Health and Welfare, and they are

mentioned here only to indicate their distribution in Yukon. There are practising private physicians in the communities of Whitehorse, Faro, Mayo, Dawson and Watson Lake. There is a physician in Haines Junction who does not practice regularly. All other Yukon communities are served either by the nurses or by visiting physicians.

ii) Ambulance Drivers

All Yukon communities have volunteer ambulance drivers who are trained in administering first aid.

iii) Community Health Representatives

The communities of Carcross, Pelly, Whitehorse, and Carmacks have community health representatives who are trained to give some medical assistance and first aid if required. There is a Lay Dispenser in Beaver Creek who is able to administer first aid in cases of emergency.

F. Emergency Room Procedures

i) Protocol

There are no established protocols or procedures for the treatment or identification of battered women who come to the hospital emergency room. If the injured woman is escorted to the hospital by the RCMP, the nature of the injury may become apparent. In other cases, the cause of the injury may remain concealed unless the victim specifies its origin. If hospital staff are suspicious, they may ask the woman if she

wishes to speak to someone from the Transition Home, the RCMP or other agency, however there is no compulsion to report suspected assaults to the police.

ii) Role of Attending Physician

Patients are examined in the emergency department by the physician on duty, and it would be up to the individual physician to write the report on each patient. It is therefore very much up to the individual to record a suspected battering for the information of the patient's own physician at a later date.

iii) Hospital Manual

It is specified in the hospital manual which defines the procedures to be undertaken in cases of emergency, that "violent accidents" such as stabbings and shot-gun wounds must be reported to the RCMP, however it appears that assaults do not fit into this category of reportable incidents. Procedures are defined for cases of suspected child abuse, and in these cases, the name of the patient can be given to the Public Health Nurse for follow-up. This follow-up is not specified or requested for battered women.

iv) Statistics

No statistics are kept by emergency room staff to record the number of victims of spousal assault receiving service.

G. Staff Training

It has been reported that few nursing staff are likely to have received training specifically with respect to spousal assault. It would be important for nurses to be trained in this area because while they are primarily responsible for medical treatment, they are also in a position to provide some informal counselling and information.

H. Discussion

This section brings forward some of the concerns surrounding the response of medical services to cases of spousal assault in Yukon. These concerns emerged as a result of discussions with medical personnel and others.

i) Absence of Procedures Established to deal with Battered Women

There are currently no protocols developed to assist in the identification of spousal assault cases, or even to enable statistics to be gathered in order to identify the incidence of battering in Yukon.

Statistics from hospitals, nursing stations and emergency rooms would be important because there may be a significant number of women who receive treatment for injuries, but who do not report the assault to the police, social services or any other agency. The hospital or nursing station may therefore be the only potential source of such information.

The absence of a specified procedure to deal with cases of spousal assault is of concern also because there may be women who are receptive to receiving assistance, but who do not ask. If there were a procedure established to specify that the question of assault be brought up in suspected cases, then assistance and information may be more easily given. It has been suggested that a specific procedure may be appropriate because wife battering has now been clearly identified as a Criminal offence, and treated as such by the Courts and the Police. It may therefore by the duty of medical staff to properly document such cases.

ii) Staff Training

As mentioned previously in this section, training surrounding the subject of spousal assault is important because of the dual role played by medical personnel. Not only do they deal with the injuries, but they are also in a position to offer some counselling and information about the various services and options available. Nurses have attended conferences on the subject of spousal assault, and men who batter, but more information would be appreciated.

I. SUMMARY,HOSPITALS AND MEDICAL SERVICES

Hospitals, nursing stations and health centres are administered in Yukon by the Federal Department of Health and Welfare.

There are four hospitals, two nursing stations, ten health centres and five health stations in Yukon.

There are physicians in five communities outside Whitehorse, and one of these is not in regular practice.

Some emergency and first aid services are delivered by Community Health representatives, a Lay Dispenser, and volunteer Ambulance Drivers.

There are no protocols in use in the emergency rooms with respect to the identification of cases of spousal assault, either for statistical or other purposes.

A need for staff training has been identified, particularly for the nursing staff.

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RECOMMENDATIONS/HOSPITALS AND MEDICAL SERVICES

Protocols and procedures:
There is no established protocol for either emergency room staff or nurses defining what information is to be recorded, or asked for, in cases or suspected cases of spousal assault. This is important because of the failure to document the incidence of spousal assault, and because of the potential for failure to provide assistance or information to women who may be receptive but don't ask.

It is therefore recommended that:

1A In recognition of spousal assault as a criminal offence, and to facilitate the assessment of the incidence of spousal assault, a protocol be developed

for use in hospital emergency rooms and by nursing staff which would:

i) prompt the questioning of patients suspected to be victims of spousal assault;
ii) record suspected cases for follow-up by the patient's own doctor on a subsequent visit;
iii) enable the collection of statistics with respect to the incidence of spousal assault, so that cases which may never be reported to the RCMP or other agencies can be included in the development of an overall statistical picture.

NOTE It may be possible to fulfill the above recommendation by adding some "check boxes" to the form already in use for recording emergency-room visits.

Staff Training:

It is recognized that training and information with respect to the dynamics of spousal assault, as well as about the availability of programs and options is important for nursing staff. This is because nurses have a dual role, that of providing medical assistance, as well as that of providing comfort and information.

It is therefore recommended that:

1B Spousal abuse be designated as a priority for staff training purposes, and training sessions be regularly provided for all nursing staff. This could be done in conjunction with other agencies or Government Departments which may be offering training sessions to their own staff.

2. MENTAL HEALTH SERVICES

The Federal Department of Health and Welfare is responsible for the delivery of Mental Health Services in Yukon. The services are delivered by:

1 Director/Psychologist
1 Community Programs Psychologist
1 Native Mental Health Coordinator
2 Community Mental Health Nurses

A. Service in the Communities

For the purposes of service-delivery, the staff are assigned to particular communities as follows:

Old Crow, Dawson, Mayo, Pelly and Carmacks are assigned to one Mental Health Nurse. Teslin, Carcross, Haines Junction, Destruction Bay and Burwash are assigned to the other Community Mental Health Nurse; and the Psychologist deals with the communities of Faro, Ross River and Watson Lake.

Although staff are assigned to a particular area they do not provide exclusive service to that area, but rather are expected to assess the clinical and other mental health needs of the area and then arrange for the appropriate service. In most instances the staff responsible for the area provide the clinical services in order to ensure continuity.

B. Referral Procedures

Clinical referrals can be accepted from any source, and the assignment to a particular staff member is dependent on the area responsibilities of the staff, availability, and the interests and expertise of the individual staff member. Local resource people may be drawn into a "mental health network" for aftercare and community follow-up.

C. Preventive Programming

Mental Health Services provide preventive and community health programs through public presentations, workshops, conferences and by assisting private agencies such as Yukon Family Services.

The positions of Community Programs Psychologist and Native Mental Health Coordinator have been recently established, and it is expected that an emphasis will be placed on the use of community resources in developing mental health promotion programs. These will focus on social systems rather than on treatment for individuals. One of the roles of the Native Mental Health Coordinator is to ensure that the programs are applicable to Native communities, and make best use of the resources available.

D. Psychiatric Services

There is one psychiatrist in private practise who is on part time contract to Mental Health Services to

provide clinics in communities outside Whitehorse during which mental health training for local resource people can be provided as well as consultation. Clinical referrals to the psychiatrist are accepted only from practicing physicians, except in communities where there is no physician available.

E. Mental Health Services and Battered Women

There are two major aspects of the service which can be offered to victims of spousal assault. One is through direct counselling to either the victim or the assaulting spouse, and the other is through the presentation of workshops in the community to heighten the awareness of spousal assault, and to give information and support to community groups who wish to provide assistance. It is likely that Mental Health Services will be very much involved in the development of programs for both batterers and their victims in Yukon. (Note Mental Health Services Comments at end of section).

Direct Counselling:

Direct counselling to women who have been, or remain in, battering relationships is currently available on a one-to-one basis. There is no group counselling available at this time, although the need for such a program has been identified.

Direct counselling, again on a one-to-one basis can be offered to men who batter, either on a voluntary or court-ordered basis. This practice is not yet widespread, although it is expected that a "Batterer's

Group" will eventually be established for the treatment of men.

Workshop Presentations:

The presentation of workshops and seminars in the communities is expected to increase in the future, however the Community Programs Psychologist has to familiarize herself with the communities and their needs before such presentations can be properly developed.

F. Discussion

There are some concerns which have been expressed with respect to the delivery and operation of Mental Health Services. These emerged from discussions with both the staff of Mental Health Services and other people and agencies.

i) Need for increased local service

Members of some communities have expressed dissatisfaction with the frequency with which Mental Health staff are available in their community. This leaves the nurses in the community as the major source of assistance. It is also felt that the staff of Mental Health Services should make themselves more available to the communities close to Whitehorse, rather than have community members spend a whole day in travelling to town and back in order to obtain treatment.

There may have been some misunderstanding about the role of the Community Programs Psychologist, and some

unrealistic expectations about what could be accomplished within the first year of programming.

ii) Treatment in a group setting

The need has been expressed for group treatment and support for battered women. This need has been identified by almost every agency contacted for this review, and it appears that Mental Health Services will eventually become involved. There are practical questions however which must be addressed before such groups can be established:

- Should the groups be "open", where members can either attend or not attend as they wish, and new members are accepted as they come?

- Should the groups be "closed" where one group of women attends for a specified number of sessions, and new members are not accepted?

- If the groups are established, should the groups include both women who have separated from their husbands and those who have returned to the relationship? Or should groups be set up specifically to address the differing needs of women in each situation separately?

- Given that alcohol abuse is a problem for many women who have experienced battering relationships, how should the alcohol abuse be treated? Should both problems be dealt with together, or should they be treated sequentially? If they are treated

sequentially, which comes first - the battering or the alcohol?

A need has been identified also for group treatment to be developed for men who batter. There are practical questions here too which must be addressed. Most of the above questions which apply to the establishment of groups for women would also apply to those established for men, however there are additional questions which surround the status of men as guilty of a criminal offence:

- Should treatment be court-ordered or voluntary? If it is voluntary, will clients drop out as soon as the group situation becomes more challenging?

- If treatment is court-ordered, what is the responsibility of the group leader with respect to reporting the client's failure to attend, therefore his failure to comply with a court order? Does this violate the relationship between therapist and client? (This applies also to individual court-ordered treatment).

- If treatment is court-ordered, what is the responsibility of the group leader to report self-confessed repetitions of battering - in other words, confession of a criminal offence?

- What would be the meaning of court-ordered treatment when the husband has come from out of town to attend, and his wife has stayed behind? Does this put the treatment completely out of context (it may be easier to believe that the battering episodes

will not re-occur when the client is isolated from the situation)?

- If treatment is court-ordered, what happens to the required follow-up if the term of probation expires?

- Should group treatments be available to inmates at the correctional centre? On pre-release?

- Should treatment for alcohol abuse be provided at the same time? Before? After? Should there be a separate group set up at the Crossroads Treatment Centre?

Whatever the answers to these questions, some resolution must be found before treatment can realistically proceed. Insufficient planning may well pre-dispose attempts at programming to failure.

iii) Need for Resources

As is evident from the rest of this report, all agencies have identified the need for information, and Mental Health Services is no exception. The resources are needed in order to prepare and present workshops, and there should be resources available to reflect the situation as it exists in Yukon, not "outside".

On a different level, information is required by the psychologists and nurses about other programs and agencies which are available in the communities. Staff of Mental Health Services may be asked about services

with which they are not directly involved, and such information is not widely distributed. One example would be the Compensation for Victims of Crime Program, for which some of the clients of Mental Health Services might be eligible.

G. SUMMARY,MENTAL HEALTH SERVICES

Mental Health Services in Yukon are delivered through the Federal Department of Health and Welfare.

The staff include two Psychologists, two Mental Health Nurses and a Native Mental Health Coordinator.

The Mental Health Nurses and the Psychologist/Director are each responsible for service delivery in specified communities, although referrals can occur between staff members depending on interests and expertise.

Referrals can be accepted from any source.

Preventive and community programming is delivered by Mental Health Services, and attempts are made to involve community agencies in providing a full range of treatment and follow-up services.

Psychiatric Services are delivered by one psychiatrist in private practise and under a part time contract to Mental Health Services. Treatment referrals are accepted only from a physician except in communities where there is no practising physician.

Mental Health Services can now provide counselling to both men and women involved in battering relationships, but only on a one- to-one basis.

A need for group treatments has been identified for both men and women, however there are several practical considerations which remain to be resolved before they can be established.

There remain several questions about the responsibilities of the therapist with respect to reporting violations of a court-order and self-confessed re-offences.

As with all other agencies surveyed for this report, Mental Health Services reports a need for resource material, both about other programs, and for materials to use in the preparation of workshop-material.

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RECOMMENDATIONS/MENTAL HEALTH SERVICES

Mental Health Services appears to be looked to as a major source of treatment for both battered women and men who batter, particularly in the development of treatment and support groups. As previously mentioned, there are several questions which should be answered before successful programming can be expected.

Court-ordered treatment:
If court-ordered treatment is to be developed as a possible sentencing alternative, or subsequent to a term of

imprisonment, the responsibilities of the therapist or group leader must be defined. These responsibilities include the duty which a psychologist or group leader may have to report apparent violations of a court order, self-reported re-occurrences of battering episodes, etc.

It is therefore recommended that:

2A Mental Health Services approach the Yukon Department of Justice, the Judiciary and the Crown with a view to developing policies and guidelines which would apply in situations where treatment is court-ordered; specifically with respect to the duties of Mental Health Services staff (or group leaders) as they apply to violations of court orders, and self-confessed re-offences.

NOTE This recommendation is directed to Mental Health Services rather than the Courts because Mental Health Services are dealing directly with the offender, and it is Mental Health staff who may find themselves in a potentially conflicting situation.

Development of Group Treatment for Men and Women:

As mentioned above, Mental Health Services are looked to by many people as a potential major treatment source. Effectively this may mean that other agencies are not initiating action because they feel that "Mental Health will do it" or "should do it". While action could be taken by any agency, quicker results might ensue if Mental Health Services were to try and further identify what group treatments are required and how to administer them. Rapid activity in this respect would have several advantages: it would capitalize on the current awareness of, and interest

in, spousal assault by both Governments and community members. It would also encourage increased reporting of assault by women, and an increased processing of cases through the courts because there would be some treatment available to offenders. It is recognized however that Mental Health Services does not have many staff to call upon.

It is therefore recommended that:

2B In order to capitalize on the current wave of interest and concern, and to encourage the processing of assault cases through the courts, Mental Health Services initiate discussions with other agencies and the courts with a view to the rapid development of group treatments for both men and women.

<u>This next recommendation is directed towards Mental Health Services, the hospital, and Nursing Services</u>

<u>Development of Resource Material</u>:
Along with all other agencies, Mental Health Services is in need of resource materials. It may be unrealistic to expect Mental Health Services to develop all their own materials, however some contribution of financial or other resources might be in order. Such a contribution would ensure that whatever materials were developed would be suitable for use by Mental Health Services as well as other agencies or departments.

Similarly, resource material is needed for nurses and emergency room staff, particularly if a standard reporting procedure is developed.

It is therefore recommended that:

2C Health and Welfare Canada (in Yukon) contribute some financial or other resource towards the development of information material appropriate to Yukon, in order to ensure that the material developed is suitable for use by hospitals, nursing stations, and other medical services, as well as Mental Health Services.

Comments from Mental Health Services:
Group treatment programs for battered women and offenders are currently being developed as a joint initiative of Mental Health Services and the Department of Health and Human Resources. The first group for women began on May 7; the treatment program for batterers began in June.

The program for victims of wife assault will be open to all women who have been or are currently in abusive relationships. Entry into and withdrawal from the group will be as flexible as possible, i.e., the women will not be asked to make a commitment to attend a fixed number of sessions. The content of sessions will be largely determined by the stated needs of the participants. Although certain issues (e.g., the psychological consequences of battering, the development of safety plans, etc.) will necessarily be included, other issues (e.g., legal rights, effects of children, etc.) will be addressed only is there is sufficient interest expressed by the participants. The program will be time-limited (6 - 8 sessions) with the stated aim that the group evolve into a self-help/support group. Although alcohol counselling per se will not be provided within the program, it is anticipated that factors inherent in the abusive relationship which promote substance abuse will be

discussed. Every attempt will be made to coordinate this treatment approach with the alcohol counselling of those women already involved in programs offered through other agencies.

In contrast to the program for victims, the treatment program for offenders will be highly structured with a minimum of 12 sessions (two sets of six sessions); exclusive of follow-up. A commitment to attend all 12 sessions will be a condition of acceptance into the group. The content of the sessions will be determined by group leaders. At present, those expressing interest in participating in the program are largely self-referred; whether court-mandated involvement is a necessary condition is an empirical issue to be examined in the future. Discussions with the Crown, the judiciary, defense, and probation are currently underway to lay the groundwork for a court-mandated treatment program. At least initially, men with psychotic disorders or sociopathic personalities will be excluded from the group.

Participants in the group will be expected to report all episodes of assault; for men who continue to reside with or remain in close contact with the battered spouse, collateral information will be obtained from the victim as a check on the accuracy of the batterer's self-report. If treatment is a condition of probation, further episodes of assault following the initial charge will be reported to the probation officer by the group leaders. At present, a reporting mechanism of assaults committed by self-referred participants has not developed. Issues regarding alcohol abuse amongst offenders will be handled in a fashion similar to that used in the women's group.

Although concurrent participation of the victim and offender in the women's and men's groups, respectively, will be encouraged, this condition will not be mandatory. Outcome measures to assess the efficacy of both treatment programs are being developed.

These groups should be viewed as demonstration projects. The development of assessment tools and clinical techniques, as well as the use of audio visual materials, will be on an experimental basis. Following the development of effective treatment programs, it is anticipated that the group leaders take on a consultative role to other treatment providers within Whitehorse and in the outlying communities. Finally, a program for children of abusive relationships is likely to be developed.

3. PRIVATE PHYSICIANS

There are 30 private physicians in Yukon, 24 of whom practice in Whitehorse. Outside Whitehorse, there are doctors in Mayo, Faro, Elsa, Dawson City, Watson Lake and Haines Junction. The doctor in Haines Junction is not in regular practice.

It appears that there are no protocols or standard procedures in use for the identification or reporting of incidents of assault, and it is left very much to the individual physician to decide whether to report such assaults. There has been a problem identified with respect to the confidentiality which should be maintained between a doctor and patient, and the potentially damaging effects which might occur should a physician report an incident of assault against the wishes of a patient. It is beyond the scope of this report to fully discuss the ramifications of medical ethics as they apply to the confidentiality of doctor-patient relationships, or the reporting of injuries received as the result of a criminal act. There are however, some recommendations which could be made with respect to the education of physicians which would enable them to better respond to their patients who have been battered.

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RECOMMENDATIONS/THE YUKON MEDICAL ASSOCIATION

The Yukon Medical Association meets once a year for an Annual General Meeting and a Scientific Session. This meeting is held in Whitehorse, and lasts approximately three days.

It is recommended that:

3A The Yukon Medical Association provide some guidance to its members in Yukon with respect to Spousal Assault and the appropriate treatment approaches to battered women by including a session on these topics in the agenda for their Annual General Meeting to be held in November (or for subsequent meetings).

If the above is not possible, it is recommended that:

3B The Yukon Medical Association in Whitehorse schedule Spousal Assault and the treatment of victims as a discussion topic at one of their weekly meetings in Whitehorse.

It is also recommended that:

3C The Yukon Medical Services Foundation be approached with a view to contributing some funding for the development of resource material appropriate to Yukon on the subject of wife assault.

It is further recommended that:

3D The Yukon Medical Association consider the development

of guidelines for the use of physicians in dealing with cases of spousal assault. These could perhaps be developed in conjunction with the Canadian Medical Association.

Comment from Yukon Medical Association

The Yukon Medical Association has included the topic of "Spousal Assault" on the agenda of the Annual General Meeting to be held in November.

V YUKON HOUSING CORPORATION

The Yukon Housing Corporation was established in 1972, and is responsible for a number of housing programs in Yukon. These programs include the Public Housing Program, Housing for Senior Citizens, Staff Housing for Yukon Government Employees, and the Government buy-back plan, which purchases housing units from Government employees who terminate their positions but are unable to sell their homes on the open market. The Corporation also has a rent supplement program, and is involved in the Rural and Native Housing Program with the Canada Mortgage and Housing Corporation and the Council for Yukon Indians.

The program which would be of most significance to battered women would be the Public Housing Program which provides housing with rent geared to income.

A. Structure of the Corporation

The Corporation has a Board of Directors, appointed to an overlapping fixed term of office. The Board of Directors is responsible for setting the policy of the Corporation, but is accountable to the Yukon Legislature and Cabinet for its mandate and major policy decisions.

The day-to-day administrative responsibilities for the Corporation's programs and units fall within the jurisdiction of the Local Housing Associations in communities outside Whitehorse. In Whitehorse, the programs fall within the jurisdiction of the Whitehorse Housing Authority. This authority operates with more independence than those in communities outside Whitehorse.

The Local Housing Association Board members are appointed by the Board of Directors of the Yukon Housing Corporation. They are responsible for the allocation of units, recommendations for evictions and resolution of tenant relations problems. Most local authorities have a Housing Manager.

There are Local Housing Authorities in Whitehorse, Haines Junction, Carcross, Teslin, Watson Lake, Carmacks, Ross River, Dawson City, Mayo and Pelly Crossing.

B. Summary of Facilities and Units in Yukon (1981-82)

Community	Total Units
Beaver Creek	7
Carcross	10
Carmacks	23
Dawson	69
Destruction Bay	8
Elsa	2
Faro	19
Haines Junction	29
Mayo	19
Old Crow	6
Pelly Crossing	7
Ross River	25
Swift River	6
Teslin	20
Watson Lake	54
Whitehorse	202
Total	526

There were 526 units in Yukon in 1982 which fell under the programs administered by Yukon Housing. 120 units were for

Yukon Government staff accommodation. The remaining 80% were part of the Public Housing Program.

C. SUMMARY, YUKON HOUSING CORPORATION

The Corporation operates a Public Housing program which could provide assistance to women who are separated from their spouses.

About 80% of the accommodation available through the Corporation is part of the Public Housing Program.

There are several communities where there are no rental units available, and the majority of the units are in Whitehorse.

It is not possible to determine whether the units available through Yukon Housing are adequate to fulfill the needs of women who have separated from their husbands, because a full survey of housing available in the communities was not carried out as part of this review.

VI THE DEPARTMENT OF INDIAN AND INUIT AFFAIRS

The Federal Department of Indian and Inuit Affairs is responsible for the delivery of a number of services to Status Indian people in Yukon. Of particular relevance to the provision of services to battered women in Yukon are the Department's cost-sharing of funding for the Transition Home, and the Department's responsibility for the delivery of social assistance to Status Indian people. The Department is also involved in the provision of policing services in Native communities, in conjunction with the RCMP and the Yukon Department of Justice.

A. Social Assistance

The delivery of the Social Assistance Program has, for the most part, been delegated to the individual band administrations, consequently Indian people apply for assistance through the Social Assistance workers in the various band offices. In Whitehorse, Status Indians who are not members of the Kwanlin Dun Band in Whitehorse can apply for assistance through the Department of Indian and Inuit Affairs in the Federal Building in Whitehorse.

The criteria and guidelines for payment of Social Assistance funds are comparable with those which apply to the Yukon Government's Department of Health and Human Resources.

B. Transition Home funding

The Department cost-shares the funding for the Transition Home in Whitehorse under the provisions of the Canada Assistance Plan. As already mentioned in the discussion

about the Yukon Government's Department of Human Resources, it is not clear whether the current block-funding arrangement will be continued in the future because of the regulations governing the funding provisions under the Canada Assistance Plan. (Note: See agency comment section).

C. Discussion

The concerns expressed by staff from the Department of Indian and Inuit Affairs were very similar to those expressed by staff of other Departments and agencies. They returned to the lack of support for women in the communities outside Whitehorse, the difficulties experienced by women who are trying to make plans from a distance to return to their home communities and the problems encountered in trying to continue the block funding of the home in preference to a return to the per diem system.

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RECOMMENDATIONS/THE DEPARTMENT OF INDIAN AND INUIT AFFAIRS

It is difficult to formulate recommendations which would apply <u>specifically</u> to the Department of Indian and Inuit Affairs, because the programs with which the Department is involved, and which apply specifically to battered women, are the same programs with which the Yukon Government is also involved (social assistance and funding for the Transition Home). The issue with reference to programs for Status Indian people is further complicated by the recently-signed Land Claim Agreement in Principle, and the recent

initiatives with respect to the development of institutions allowing for self-government for Indian people.

The recommendations made here therefore apply only to the programs with which the Yukon Government is also involved:

It is recommended that:

1A The Federal Department of Indian and Inuit Affairs and the Yukon Department of Health and Human Resources make every attempt to ensure that funding for the Home continue on a block-funding basis, and a return to a per diem system be avoided at all costs.

1B The Department of Indian and Inuit Affairs and the Yukon Department of Health and Human Resources reconsider the funding of a child care worker at the Transition Home at least on a part time basis, and provide funding to accommodate this need if at all possible.

1C An assessment of the need for second-stage housing take place for women who leave the Transition Home, and this needs assessment take into account the possibility of making such facilities multi-use rather than for use only for women who are battered.

1D A priority be placed by the funders and the Transition Home on the development of a safe-house system in communities outside Whitehorse and consideration be given to the funding of a short-term project to assist in its establishment.

1E The safe-house system be developed also with a view to the provision of some follow-up service to women who leave the Home to return to their home communities, or to other communities outside Whitehorse.

1F Consideration be given to the mechanisms available through which some minimal funding could be provided to people willing to provide this assistance.

1G The RCMP be consulted during the development of a safe-house network, so that they are aware of the possible requirements which may arise for police assistance.

1H The Yukon Government Public Service Commission be approached with a view to conducting a Job Audit on the positions at the Transition Home, in order to provide some basis for determining the amount of funding to be provided for salaries.

Comments from Department of Indian and Inuit Affairs:

In regards to the Transition Home funding, recent consultation between Indian and Inuit Affairs and the Department of Health and Human Resources has resulted in agreement in principle for a funding mechanism which retains the main elements of block funding while meeting the means testing and per diem requirements of C.A.P. to allow cost sharing between Government of Yukon and the Government of Canada.

It should be noted that the current funding of the Transition Home by Indian and Inuit Affairs comes from the discretionary funding allocation provided to Yukon Region. All discretionary funding in the Region is subject to the

review and recommendations of the Yukon Chief's Advisory Board with which the Indian and Inuit Affairs office meets regularly. Since any increase in funding support of the Transition Home would require the review and concurrance of Yukon Indian Band Chiefs, this report should be distributed to all Chiefs and Councils in Yukon for their review and consideration of the recommendations.

VII PUBLIC EDUCATION AND INFORMATION

The degree to which people are informed about services and programs operated by Governments or private agencies is a major concern. There is no Legal Education Program in Yukon, and programs operated by Governments and agencies are very poorly publicized outside Whitehorse (the situation in Whitehorse is not a great deal better).

Members of the general public are not aware of their rights and obligations under the law, and are not aware of Justice or Social Service related programs designed to help them. Professionals and others working within the Justice and Social Service fields tend to have information specific to their own programs, and little else. This makes it difficult for clients to be referred to agencies or services appropriate to assist them.

Given that this situation exists, whose responsibility is it to ensure that information is made available and properly disseminated? One point of view is that it is up to the individual employees or members of the public to properly inform themselves, however this is extraordinarily difficult when information is simply not available.

The most visibly distributed pamphlets and posters which were identified during the progress of this review were the posters for the Transition Home, Alcohol and Drug Services, courses at Yukon College and the Victoria Faulkner Women's Centre in Whitehorse. The Compensation for Victims of Crime Program is a prime example of a service which is badly publicized, featuring few, poorly visible pamphlets containing information which is difficult to understand.

While much criticism can be directed towards Government-sponsored programs, there are privte agencies which do not perform any better with respect to publicizing and describing their services.

There are two major areas in which public information is required - Legal Matters, and matters relating to the programs which are available. In looking at services for battered women, these two areas are very closely linked, consequently both needs must be addressed if proper information and education are to be ensured.

A. Public Legal Education

There has been no consistently available Public Legal Education Program in Yukon. Since 1982 the Whitehorse Juvenile Court Committee has had a Public Education Committee. The latter group has recently expanded and evolved to become the Yukon Public Legal Education Association and in July 1984 plans to be incorporated as an independent society. The Association will seek operational funding from the Federal Justice Department and other sources.

To date, the Association has published a series of articles in the local paper describing certain legal procedures, and it is anticipated that matters relating to spousal assault will be one of the topics featured.

The Association, in conjunction with the Ad Hoc Committee on Family Violence, is in the process of preparing a booklet resulting from a conference on batterers to be held in March. This booklet will be prepared for the use of professionals, paraprofessionals, and others who assist

victims of battering to inform them of the services available in the communities, and of the legal and other options open to their clients.

The Yukon Public Legal Education Association is also hoping to receive some long-term funding from the Federal Department of Justice in order to develop a Public Legal Education Program and to develop material appropriate to the Yukon. Assuming such funding is received, it is likely that further funding will be required to complete specific projects of the type mentioned below.

B. Information about Programs Available to Battered Women

Information about what programs are available to assist women who are victims of a spousal assault is needed, by both the public and by people working in social service areas, whether private or Government. There are senior staff in the department of Health and Human Resources who are not aware (again) of the Compensation for Victims of Crime Program, yet many of their clients may be eligible. The Yukon Family Services Association has been identified as the resource centre for material received on Family Violence. It is, however, doubtful whether many people are aware of this, which is unfortunate because useful material is available through the resource centre.

The major source of information about programs is likely to be staff who work in either Social Service or Justice fields, yet these staff are complaining about the lack of information themselves. If <u>they</u> do not have information, how can members of the public acquire it? Examples of the types of information needed include: information for staff outside the Department of Human Resources about the Social

Assistance Program and other services offered by the Department, information about training possibilities and funding to attend Yukon College, information about Alcohol and Drug Services, etc. With respect to Legal Services, information is needed about what is involved in having a criminal charge laid, how the Court System in Yukon works, what the difference is between a Peace Bond and protection provided through conditions attached to a Judicial Interim Release Order, what decisions may be made in sentencing, how to maintain contact with the police and courts to find out what happened after a charge has been laid, etc.

C. Spreading and Coordination of Information

Government and private agencies alike are not properly fulfilling their duties unless they properly publicise their services. If there are pamphlets available for distribution, it is not sufficient to send them out once or twice a year. It is not really sufficient to send only written information to other agencies and communities, as a personal visit may be much more effective. A salesman would never survive if his sales pitch was inadequate as that put forward by many agencies and Departments! In some cases it may be necessary to indicate how a particular program may be useful to another agency's clients. Knowlege of a program's existence is not much use if people do not know how it might help their client or themselves. If an agency has a library with resource materials available, then it is reasonable to expect that agency to make it known what resources are available <u>by topic</u>, so that they can be properly and fully used. All this involves a lot of work initially, but once a system has been put in place, the work remaining is largely maintenance.

Better information-dissemination might occur if information dispersal was coordinated, for example if information packages were prepared to contain descriptions of all programs available to specific groups of clients, for example a package could be prepared for victims of crime, battered women, etc., in which all the services available could be included.

D. Information for Public Presentation

Much public education can be done through community-held workshops and training sessions. These however are difficult and time-consuming to prepare in the absence of material for presentation. People in communities outside Whitehorse do not have access to library and other information sources that are available in Whitehorse, and it is difficult if not impossible to prepare a presentation in the absence of resource materials. If family violence and spousal assault are really to be treated as priorities, then a commitment should be made to ensure that materials for workshop presentation are prepared, and that this material be appropriate to Yukon, and not only to southern or urban centres.

Workshop "kits" are therefore required, which would contain all the materials which would be needed by a workshop leader. This would include slides or video tapes, written materials, and copies of handout materials which could be photocopied locally if facilities were available.

E. Discussion

There is little public education carried out in Yukon, with respect to legal or other matters.

Government Departments and private agencies do not provide sufficient information about their programs, or how their programs can assist specific client groups.

Public information should be delivered frequently and consistently, not only once or twice a year. There is a need for personal presentation of information when possible.

There is a need for workshop materials to be prepared, and information about what resource materials are available should be provided and updated regularly.

Information coordination would assist in public education, for example if packages or information were prepared describing the services available to particular client groups, rather than describing individual programs only.

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RECOMMENDATIONS/PUBLIC INFORMATION AND EDUCATION

The recommendations presented in this section focus on the need for information to be presented to the public and to professionals who work in Justice or Social Service areas. Some suggestions are made also with respect to how this information might best be prepared and distributed.

Public Legal Education

Information is required about the procedures which an assaulted spouse must use in reporting an assault to the police, and what to expect should a charge be laid and the matter proceed through the court system. Some information

is also required about what might be expected as a consequence of sentencing.

It is therefore recommended that:

1A Information be prepared for public use with respect to the procedures required in reporting an asault, including:

i) information about what might be expected should a charge be laid and the matter proceed through the court system. This should include a brief but understandable description of how the court system operates in Yukon, and what sentences might be considered should the assaulting spouse be found guilty.

ii) information about the Legal Aid and Compensation for Victims of Crime Programs.

NOTE There are now pamphlets available with describe the Legal Aid and Compensation for Victims of Crime Programs. Both these are directly court-related, and the Compensation Program is particularly badly publicised. Further information is therefore required.

Public Information about Programs Available to Assist Battered Women:

This information is required by members of the public and professionals who work in Social Services and other field. Professionals who have direct contact with clients may find themselves being asked for information which they do not have, and the provision of some basic information would greatly assist them in informing their clients to some degree before referring them to the appropriate agency or department.

It is therefore recommended that:

1B All agencies and Government Departments which provide services which may be used by women who have been assaulted by their husbands prepare information pamphlets, packages or booklets describing their services for distribution to other agencies and professionals.

NOTE In reference to the above recommendation, information is needed about the Department of Human Resources, the Transition Home, Mental Health Services, Yukon Family Services, Maryhouse and the Friendship Centre in Whitehorse.

Information needed for staff training:

It has been suggested in this report that there is a need for staff training in many Government Departments and private agencies with respect to the dynamics and treatment of spousal assualt. This is required by both Federal and Yukon Government departments, and in the court system. It is recognized that the preparation of such materials can be expensive, and it cannot be expected that all Departments and agencies prepare their own material for training purposes. As a general principle, in developing staff training materials, it is felt that attention should be paid to the criminal nature of spousal assault, rather than to treat it as a "women's issue" which it is no longer. Attention should also be paid to the reasons why victims of spousal assault are prepared to accept so much abuse before taking action, and why victims may be reluctant to report instances of assault to the police or other authorities.

It is therefore recommended that:

1C All the Departments who require information and material for staff training purposes provide some funding towards the preparation of these materials, in order to ensure that what is prepared will properly meet their needs, and that

i) the Yukon Medical Services Foundation be approached for contributions also, in order to ensure that the needs of family physicians be addressed;

ii) when staff training sessions are conducted, full use be made of the resources available in the community (such as Transition Home staff), and that staff and volunteers from private agencies be invited to attend - space permitting.

Availability of Materials:

The lack of information is a problem, with respect to information about what material is available, as well as to the availability of the material itself. This applies particularly to resources needed for workshop presentation.

It is therefore recommended that:

1D The agency acting as the resource centre on Family Violence in Yukon prepare a listing of what material is available in their library with respect to spousal assault, and distribute it to agencies and Government Department with an interest in this area.

1E The agency acting as the resource centre on Family Violence in Yukon undertake to actively search for, and acquire, information on the subject of spousal assault so that other agencies in Yukon can take advantage of it, and

1F The above agency undertake to properly catalogue all information on the subject of spousal assault, and ensure that interested agencies are kept informed on a regular basis.

With resepect to workshop materials, it is recommended that:

1G Some funding be made available for the preparation of workshop kits on the subject of family violence in general and spousal assault in particular, so that community and Government agencies can undertake some public education and information sessions in their communities, and

1H Information prepared for these kits include material relevant to Yukon, and not only on the situation in southern urban communities, and

1I Information be prepared which is suited for presentation in Native communities. This could be done by preparing materials in conjunction with the Friendship Centre, Council for Yukon Indians, Native Women's Association, Native Courtworker Services, the Native Mental Health Coordinator, Band Councils and other interested bodies.

Who should prepare these materials?

Given that information is needed, and that it should be prepared and distributed, who should undertake this task? Individual Government Departments should of course be responsible for publicising their own programs, but it is questionable whether one Department should be responsible for the preparation of materials for the use of others. The

Department of Justice Women's Bureau has a mandate which may be broad enough to include such a role, but the Bureau is staffed by only one person. If the subject of spousal assault is to be treated as a Justice issue, then this also would suggest that the Justice Department be significantly involved, however such involvement might be more appropriately demonstrated by the provision of some funding.

The possibility exists for the development of materials by a private agency, to whom funding would be provided by all participating Departments, but which agency? It may be appropriate for an agency which is not involved in providing direct service to battered women to undertake a project of this sort, in order to ensure that the needs of all funders are addressed. This may be a project which could be undertaken under the auspices of the Public Legal Education Committee.

It is beyond the scope of this report to identify particular agencies or groups which are capable of, or interested in, preparing workshop and training materials. Such identification might be better made by the Interdepartmental Committee on Wife Battering, or the Ad Hoc Committee on Family Violence. It is, however, recommended that:

1J Private agencies or groups be approached by the Yukon Government with a view to the preparation of training and workshop material.

Format of Materials:

The form that training or workshop materials should take is something to be considered in the light of the needs of the various departments and agencies, however a full range of possibilities should be explored including:

A series of pamphlets, booklets, a combination of booklets and pamphlets, video or other audio-visual presentations, etc. No recommendation can be made here with respect to what is most appropriate, however, the desired format of material is something that should be considered by Governments when providing funding or other services.

VIII PRIVATE AGENCIES

Private agencies are extremely important in the delivery of a variety of services in Yukon, and are therefore dealt with as a separate category, even though many of the agencies may depend almost entirely on either Federal or Yukon Government funding. There is no funding source in Yukon similar to the United Way, consequently the only funding sources other than Government are private foundations (mostly outside Yukon) and private donations.

Few private agencies provide services only to battered women, although many provide either direct service or referral to battered women who may ask for assistance. The agencies mentioned in this section are those which could be said to provide a "significant" service to women in distress, consequently the Yukon Women's Transition Home is given some prominence.

1. KAUSHEE'S PLACE (YUKON WOMEN'S TRANSITION HOME)

Kaushee's Place is the only women's transition home in Yukon, and is situated in Whitehorse. The Home was opened in 1980, and now receives funding from the Federal Department of Indian Affairs and the Yukon Government Department of Health and Human Resources. The home was developed with a major impetus from the Yukon Indian Women's Association, and it was intended that the needs of both Native and non-Native women would be fulfilled. Over the years, the clientele has been almost equally Native and non-Native, and the home does have some Native staff and board members.

A. Yukon Transition Home Society - Objectives and Structure

(a) Objectives:

To provide a short-term, supportive, home-like environment for women in a crisis or transition period of their life without discrimination by reason of race, national origin, colour or religion;

to lease, buy, renovate, or manage housing to meet the objectives of a short-term residence for women in need;

to provide information and guidance to residents to assist them in exploring alternatives for resolving their personal problems and crises;

to interpret and refer residents to counselling, educational, training, and employment opportunities;

to reduce social isolation and alienation by introducing residents to social, recreational, and cultural opportunity within the community;

to cooperate with various other social agencies and women's groups in developing new programs and services needed for women but not currently available and to improve the efficiency, effectiveness and responsiveness of the existing programs and services.

(b) Structure:

The Constitution originally specified that the Board of Directors should consist of approximately 14 elected members, with the recommendation that particular agencies or societies should be represented. This requirement has since been dropped, and the board members are elected as individuals rather than as representatives of a particular interest. There are currently 11 board members.

B. Funding Arrangements and Staffing

(i) Funding:

The current funding arrangements are unanimously perceived to be a great improvement over the

previous year. During the 1983-84 fiscal year, a block-funding arrangement was entered into, with contributions being made by the Department of Indian Affairs and the Yukon Department of Health and Human Resources ($73,528 each). This funding structure means that a woman can come to the home herself, or can be referred by a social worker, the RCMP or any other agency without having to be approved for funding through social assistance. Unfortunately, it is unclear whether such block funding can continue in the future. The previous funding required that women be interviewed during their stay (or before they arrived at the home) to determine their eligibility for social assistance. This meant that an immediate response could not always be made by social workers, a frustrating situation to both women requiring assistance, and the social workers themselves.

Strictly speaking, funds received from the Canada Assistance Plan to operate "homes for special care" including transition homes cannot be delivered through block funding. All those who wish to make use of such a facility must, under the provisions of the Canada Assistance Plan, be certified to be "in need" as determined by an individually applied needs test. This means that funding which is cost-shared through the Canada Assistance Plan is delivered on a per diem basis, an arrangement which has been deemed as unsatisfactory by almost everyone who has had contact with the home.

During the 1983-84 fiscal year, the home received some money from private donations, and was able to employ a summer student through the Federal Department of Employment and Immigration. The Home also receives funding through the Federal Department of Northern Affairs for a full time Northern Affairs Trainee. This position is likely to be funded for one year.

The Home is not owned by the Society, but rented from the Federal Department of Public Works through the Yukon Housing Corporation.

(ii) Staffing:

The Home has 4 permanent staff including the Director, one senior, and two regular house staff. There are also the full time Northern Affairs trainee as well as four casual staff.

The home is staffed for a 24 hour period which is divided into three shifts. There are two staff present during the day, and one present during the evening and at night.

Staff training is largely "on the job" although the staff do have access to workshops and seminars offered by, for example, Alcohol and Drug Services - a branch of the Yukon Government Department of Health and Human Resources. Some funding is provided in the budget for staff training purposes, and this allows casual staff to be hired when the regular staff are taking training courses.

The Home has a paid bookkeeper.

Requests have been made by the Society in their annual budget submissions for the addition of a full or part time child care worker to the staff complement as well as for the consideration of providing salary levels which are comparable to those paid for similar positions in Government or other agencies. No Job Audit has yet been carried out at the Home to determine the basis on which salary parity could be determined.

C. Occupancy and Programming at the Home

(i) Occupancy:

The Home has a capacity of 20 women, and from time to time has been somewhat overcrowded when large numbers of children are accommodated. From January 1983 to January 1984, there were 119 women and 131 children received by the Home. These figures refer to separate admissions - in other words, 119 different women stayed at the Home during the year.

It is not yet possible to determine whether the block funding has significantly affected the occupancy rate of the Home, although it is felt that it has been more fully occupied since the per diem type of funding ceased in March of 1983.

Women from all over Yukon have stayed at the Home for varying periods of time. During the six month

period between April and September of 1983, about half of the women whose place of residence was recorded came from Whitehorse, and the remainder came from ten other communities. The majority of the women who stayed at the Home were there because of physical or sexual abuse to either themselves or their children. About one third of these women were ready to be on their own when they left the Home (there were 93 women and 91 children resident at the Home over the six month period in question).

A review conducted in March of 1983 showed that the average length of stay at the Home was about eight days, ranging from a few hours to three months. About three quarters of the residents stayed 14 days or less. The review indicated that women from outside Whitehorse stayed at the Home for longer periods of time. There is an impression that the block funding has affected the length of stay also, and that women may be staying at the Home longer. In the past, under per diem arrangements, the length of stay was often restricted by social workers from the Department of Health and Human Resources. It is too early however to determine whether this impression is accurate.

(ii) Programming:

The Home provides referral to other agencies, as well as some counselling. Group meetings are held twice a week at the home by one of the counsellors from Alcohol and Drug Services, and

these are open to previous residents also if they wish to attend. While these groups are directed towards questions of alcohol and drug abuse, they are structured loosely enough to accommodate other topics in which the women may be interested.

The Director would like to see further program development take place at the Home, but there is a shortage of staff time to be devoted to this because of the day-to-day requirements for the Home's management, as well as administrative duties. It is hoped that in the future more programming could be provided by other agencies in town such as Mental Health Services.

Counselling is difficult to provide adequately because much of the opportunity occurs in the evening when there is only one staff member on duty. This may be a concern because the Home has received criticism from some quarters for the apparent lack of counselling which takes place. Given that most people would visit the Home during the normal working day, the counselling which occurs at other times may just not be visible, further the type of counselling offered is very informal and may not be recognized by some as counselling at all.

The problems and concerns of individual residents are discussed at regularly held staff meetings.

D. Statistics

The Yukon Transition Home is the major source of statistical information about battered women in Yukon, simply because at this time the Home is the only organization which is concerned with battered women specifically. Statistics with respect to the number of clients are collated quarterly for funding purposes, and other information about the reasons for seeking assistance, place of residence, etc., are collected from the clients. The information collected by the staff of the Home is far from exhaustive, however it is the best available. It must be remembered though, that however detailed the statistical reporting became at the Transition Home, the picture which could be compiled would be far from complete because of the dearth of information available from other sources.

E. Discussion

The points brought forward here are those which have been expressed by the Director and staff of the Transition Home as well as other agencies and individuals.

(i) Need for a child care worker:

Statistics available for the 1983 calendar year show that 131 children stayed in the Home. In a previous review (McLaughlin 1983), the issue of child care received some attention, and it was stated that over half of the children staying at

the Home during the review period were pre-schoolers, and most of these were under 12 months of age. It was reported that many children were exhibiting some physical and psychological symptoms which might result from stress. During the short period of time when the home had a child care worker (October 1980 to May 1981) activities were organized for the children as well as counselling and advice on child care given to the mother.

It is recognized that one of the intentions of the home is to provide support so that women can become independent should they wish to live on their own, consequently the women at the Home are expected to manage their own affairs as much as possible. On the other hand, it is difficult for a women in a crisis situation to make use of all the resources available to her if she has also to fulfill all the needs of small children. The education of older children staying at the Home has not been identified as a problem, children can attend Whitehorse schools.

(ii) Safe Houses in the Communities:

Kaushee's place is the only transition home in Yukon, consequently many women staying at the house have not only left their husbands, but their own communities as well. It has been emphasized by most people in contact with the Home that this may be a very large step to take.

The need has been expressed for a number of safe houses to be established in communities outside Whitehorse. These need not be established to accommodate women for long-term stays, but should rather be a place to go while they consider the options available to them, for example whether to stay in the home community or whether to go to the Transition Home. Some women are able to go to relatives or friends, but others are without support in their own communities.

There are several disadvantages to having only one facility available to women in Yukon:

- A woman who wishes to discuss the situation with her husband must make contact by long distance telephone, or by the woman returning to her own community from Whitehorse. She may then have to stay in her own home, possibly exposing herself and her children to further abuse.

- Follow-up services for women who have left the Home are difficult to establish in communities without readily available resources. While some telephone contact can be accommodated, this is not suitable for women who do not have a telephone in their own home, and in any event, personal rather than telephone contact would be preferable. The staff of the transition home are unable to travel between communities for follow-up service.

- There is no basis for continuing support in the communities for women who attend support groups of the type planned by Mental Health Services.

In some communities, such as Ross River and Watson Lake, there are groups or individuals who have provided a place to stay from time to time for women in distress, however these resources are not organized to the extent that they could be and could not be considered as regularly available.

There has been a number of suggestion made concerning the "types" of people or facilities which might be available to fulfill the purposes of a safe home. The Clergy have been suggested, as well as the possible use of nursing stations. Not all nursing stations have the facilities to hold people overnight, and there is an unwillingness to accept the idea of the use of a nursing station or hospital as a safe place for women (with the exception of women who may be already injured). The response of the Clergy is likely to vary according to their individual responsibilities in the community, and it cannot be assumed that members of the Clergy would always be willing to provide safety simply by virtue of their occupation.

There are also safety considerations to be taken into account in setting up such a network. Individuals who are willing to assist may well place themselves at personal risk on occasion, consequently it may be wise to alert the RCMP with

the expectation that a rapid response from the police would ensue if trouble was reported.

It would be impossible to protect the identities of those willing to assist in a small community, and this may be a problem in finding people to perform the role. Similarly, it would not be reasonable to expect people to provide this service always on a volunteer basis. Some sort of financial recognition would be in order, as would the provision of some training.

(iii) Second-stage housing:

The subject of second-stage housing has emerged frequently in discussions surrounding the services offered by the transition home. The term "second-stage housing" refers in this document to a residential facility in which women could live after they have left the Transition Home environment, but may still require some support and assistance in their living arrangements. From the point of view of Kaushee's place, second-stage housing would be especially useful to relieve the pressure of overcrowding which occurs from time to time.

The need for second-stage housing has not yet been assessed in Whitehorse or elsewhere in Yukon.

(iv) Funding:

As already mentioned, there is almost universal acceptance that the present "block funding"

arrangement for the Home is a great improvement over the per diem system previously used. No one contacted for the purposes of this review expressed a preference for the per diem system, or even considered it acceptable.

The question with respect to funding then, is not whether or not to return to the per diem system, but how to provide block funding within the regulations of the Canada Assistance Plan or other funding bodies. It is understood that the Yukon and Federal Governments are trying to find a solution to this problem, but no conclusion has yet been determined.

(v) Public Education:

As is evident in the rest of this review, there is a great need for Public Education, not only about the dynamics of spousal assault but also about the services available in the community. The Transition Home does have very recognizable posters and pamphlets which are displayed in the hospital emergency department, in doctor's offices and in other agencies. The Transition Home has recently also received considerable exposure in the Whitehorse media. It must be emphasized however that information needs to be disseminated to Social Service agencies, both Government and private on an almost continuous basis.

The posters advertising the Transition Home refer to the name "Kaushee's Place", however the listing in the telephone book is found under both "Yukon

Women's Transition Home Society" and "Women's Transition Home". While "Yukon Women's Transition Home" also appears on the poster, it might be helpful if the larger title "Kaushee's Place" also appeared in the telephone book.

F. **SUMMARY, KAUSHEE'S PLACE:**

The Transition Home in Whitehorse is the only such facility in Yukon.

Funding for the Home is currently received from the departments of Indian Affairs and Health and Human Resources as block-funding.

While it is almost universally accepted that block-funding is infinitely preferable to the more usual per diem system, it is not certain that the arrangement can continue under the regulations of the Canada Assistance Plan.

The Home has four permanent staff including the Director, as well as four casual staff and a Northern Affairs trainee funded through the Federal Department of Northern Affairs. The Home is staffed 24 hours a day.

There is currently no child care worker at the Home, although the need has been expressed by the Transition Home staff.

During the 1983 calendar year there were 119 women and 131 children received by the Home.

There has been a need expressed for a safe home network to be established in the communities and some concern expressed about the need for second-stage housing, although this latter requirement has not yet been investigated.

The Home is, at present, the major source of statistical information about battered women in Yukon.

There remains a need for public and agency education about the services available at the Home.

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RECOMMENDATIONS/THE TRANSITION HOME

The recommendations in this section are difficult to direct, and are made only because the Home is the only such facility in Yukon. Recommendations in this report are not made specifically with respect to many private agencies in Whitehorse or elsewhere. The author of this report was not directed to make recommendations about the Home specifically, and the Home staff were not fully consulted about how this survey would be carried out. They were, despite this, extremely helpful. The recommendations in this section therefore are made "about" the Home, rather than "to" the Home, and some are specifically directed towards government with respect to funding and other relationships with the facility. They are placed at this point in the report, close to the description of the Home, so that their interpretation would be made in

the context of the description of the facility presented here.

Funding:

The continuation of block-funding was the major concern expressed about the Home's operation. It cannot be sufficiently stressed that the per diem system of funding was unsatisfactory to both the Home itself and those in a position to refer people there. It can only be further stressed that:

1A The Yukon Department of Health and Human Resources and the Federal Department of Indian Affairs make every attempt to ensure that funding for the Home continue on a block-funding basis, and a return to a per diem system be avoided at all costs.

Child Care Worker:

The need for a child care worker was expressed in 1983, and this need is still apparent. Even a part time worker would remove much of the child care responsibility from the regular Home staff, and would substantially ease the situation of many of the women in the Home.

It is therefore recommended that:

1B The Yukon Department of Health and Human Resources and the Department of Indian Affairs reconsider the funding of a child care worker, at least on a part time basis, and provide funding to accommodate this need.

Second-Stage Housing:

The need for second-stage housing for women leaving the Home has not yet been assessed, however the staff of the Transition Home feel that an available facility would relieve the overcrowding sometimes experienced at the Home. It cannot be recommended in this review that second-stage housing be developed because the need has not yet been established, however, it is clear that it should be investigated. The investigation could perhaps take into account the requirements for accommodation which may arise should treatment or support groups be established for women. If these occur in Whitehorse, women who might wish or need to participate would require accommodation in Whitehorse in order to make their participation possible.

One of the questions which arises concerning second-stage housing is whether or not such facilities encourage dependence on Government funded programs, and whether a better system might not be to give support while encouraging the women to make use of the programs and facilities already available (e.g. subsidized housing, Alcoholics Anonymous, single parent groups, etc.).

Another question which arises with respect to the development of second-stage housing is whose responsibility is it? This is difficult to determine because there are a number of agencies which might be able to make use of such housing, and a multi-use system may be more manageable economically in Yukon than a facility intended for the use of battered women only.

At this point, it can be recommended that:

1C An assessment of the need for second-stage housing take place for women who leave the Transition Home, and this needs-assessment take into account the possibility of making such facilities multi-use rather than single-use.

Safe House Network:

There are no safe houses in the communities outside Whitehorse, although there are informal arrangements in some communities which have fulfilled this need in the past. There can be little doubt that a network of services in the outlying communities is required, and that there is a real need for the provision of a safe place for women who feel unable to leave their own communities to come to Whitehorse. This does not mean that Transition Homes need to be established in all communities, but it does mean that people should be identified in the communities who would be willing to consistently assist women in distress.

The question of whose responsibility this is has also risen. The Transition Home staff have expressed an interest in such a scheme, and it has been discussed by the Home's planning committee. Setting up such a network, however, would take considerable time and coordination, and it is doubtful whether the staff of the Home or the board members would be able to carry out the task along with their other responsibilities. It would assist in the development of a safe house system if the Government Departments already providing funding for the Home could make some commitment towards providing minimal financial assistance to community members willing to undertake this service, for example

for the purchase of extra bedding, food and other necessities.

It is therefore recommended that:

1D A priority be placed by the funders and the Transition Home on the development of a safe house network, and consideration be given to the funding of a short-term project to assist in its establishment.

1E The safe-house system be developed also with a view to the provision of some follow-up service to women who leave the Home to return to their home communities, or to other communities outside Whitehorse.

1F Consideration be given to the mechanisms available through which some minimal funding could be provided to people willing to provide this assistance.

1G The RCMP be consulted during the development of a safe home network, so that they are aware of the possible requirements which may arise for police assistance.

Salary Parity:

Salaries paid to staff of private agencies have traditionally been lower than those paid to employees performing similar functions in the public sector. This is always a recurring subject of discussion between private agencies and funding bodies, and has been resolved in some cases by having a Job Audit

conducted. Such a Job Audit can identify some basis for determination of appropriate salary levels, and concerns itself with job function rather than with formal qualifications held by the staff.

The relevance of salary levels to the quality of service provided to battered women is that it may be easier to attract, and keep, experienced staff to work in transition homes when the salaries and benefits are attractive.

It is therefore recommended that:

1H The Yukon Government Public Service Commission be approached with a view to conducting a Job Audit on the positions at the Transition Home, in order to provide some basis for determining the amount of funding to be provided for salaries.

2. YUKON FAMILY SERVICES ASSOCIATION

A. Structure and Function

The Yukon Family Services Association is a non-profit organization which receives the great majority of its funding from the Yukon Department of Health and Human Resources. During the 1983-84 fiscal year, the Department provided $56,126 in block funding to the agency, and approximately $3,700 were received in fees paid by clients. Some money is available also through the rental of office space to the Family Life Education Program. The Yukon Family Services Association has one paid Executive Director with counselling as one of the duties, and maintains a library of resource materials which are available to community groups and individuals.

The agency has a fifteen member volunteer Board of Directors and a Yukon Government liaison person who is non-voting.

The purpose of the agency is "... to contribute to harmonious family inter-relationships ... and to promote healthy personality development and satisfactory social functioning of various family members."

B. Services Provided

The services offered to women who have been battered include counselling, for which there is a fee based on a sliding scale ranging from $5.00 to $25.00 per

session. The agency also sponsors the STEP (Effective Parenting) program, and other public education sessions.

The agency offers counselling services to all family members, either together or separately. During 1983, about 18% of their clients had been involved in battering relationships.

C. Resource Centre on Family Violence

The Family Services Association has been designated as the Resource Centre on Family Violence for Yukon. Thus the agency can provide services not only to battered women themselves, but also to Government Departments and agencies which deal with them, through the provision of information and resource materials. Family Services have agreed to store materials, catalogue material, keep an updated bibliography and disseminate material upon request.

It is the role of the Family Services Association as the Resource Centre for material on family violence which is of concern here. As is evident from the rest of this report, there is a great need for the collection and dissemination of information about family violence in general and spousal assault in particular. The Yukon Family Services Association mentions its designation as Resource Centre on its information pamphlet, however, there appears to have been little activity with respect to the distribution of material, in fact the material has not been catalogued. Cataloguing for the resource library is done by a volunteer library committee, but the clearing

house material is considered to be separate from the rest of the resource materials. It does take some considerable time to catalogue materials, particularly if they are to be identified by subject, however uncatalogued and undisseminated material is not useful to individuals or groups seeking resources.

Some recommendations are presented here with respect to the role of the Family Services Association as Resource Centre because the proper distribution of information is crucial to the development of a public awareness with respect to spousal assault.

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RECOMMENDATIONS/YUKON FAMILY SERVICES ASSOCIATION

It has been previously mentioned in this report that there is a great need for public information about spousal assault, and also for information to be made available to Government Departments and other agencies for staff training purposes. The Yukon Family Services Association, in its role as Resource Centre for the Committee on Family Violence is a potentially influential position with respect to information acquisition and distribution, however, this potential has not been realized.

It is therefore recommended that:

2A The Yukon Family Services Association identify its role as the Resource Centre on Family Violence as a priority, and take steps to:

i) catalogue the existing material, and prepare a listing which could be distributed to community agencies and Government Departments in order that they might borrow material, and

ii) identify sources of information, books, papers and programs which may be of interest to community or other groups in Yukon, and

iii) purchase published material and/or acquire free material such as academic and other papers for their library, and

iv) ensure that interested agencies are regularly informed of material available so that it can be borrowed.

If there are financial or staffing problems in fulfilling the above tasks, then the Association should take steps to obtain funding for the purposes of information acquisition and dissemination, through the Yukon and Federal Governments, summer student projects, or private foundations. Notwithstanding the above, the Yukon Family Services Association probably is the most appropriate agency to fulfill the role of clearing house because the Association already has a library, and it may be perceived as more "neutral" ground than either the Transition Home or the Women's Centre. Another possibility might be the Public Legal Education Program, should it ever become established.

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3. CROSSROADS TREATMENT CENTRE

The Crossroads Treatment Centre is a privately operated residential alcohol and drug treatment facility, situated in the same building in Whitehorse as Alcohol and Drug Services. The centre has a capacity of 29 beds, 8 of which are allocated to women.

A. The Program

There is a 28-day residential treatment program, which has a strong emphasis on personal growth, stress management, the development of interpersonal skills, etc.

Participants in the program are accepted through self-referrals, or referral from private and public agencies. Inmates from the Correctional Centre can be accepted on pre-release or temporary absence programs. Parolees would be received at the centre after the process involved in attaining a parole decision.

Funding for the Centre is provided by the Yukon Government's Department of Health and Human Resources and the National Native Alcohol and Drug Abuse Program (Health and Welfare Canada). It is hoped that some funding might be received from the National Parole Service should a streamlined parole process be developed.

B. Services to Battered Women

The service delivered to battered women through Crossroads would be largely indirect, by providing alcohol treatment to an assaulting spouse. The Centre allows and encourages both spouses in a relationship to take part in counselling, whether or not both spouses are alcoholic.

The provision of treatment to batterers requires that the battering behaviour be identified at some point during a client's stay at the Centre. In some cases, the behaviour is identified in the information received from a referring agency, however there is no guarantee that this would be identified. It is less likely that assaultive behaviours would be identified from a self-referral. There is an assessment period during the first week of treatment, however, the subject of spousal assault is not always brought up during this process.

If battering were identified as a problem, a client might be referred to Mental Health Services, however, it is felt that the alcohol problem must be addressed before any further treatment can take place. Thus, should a treatment group be developed for battering men, the most appropriate time for attendance would be <u>after</u> alcohol treatment, not before or during. This topic was addressed under "Mental Health Services" in this report.

C. Discussion

The Crossroads Treatment Centre does not have a policy with respect to the identification of battering during a client's intake period, although information may be picked up from information received from a referring agency.

As there is no consistent identification of battering behaviour, there are no statistics available with respect to the number of battering (or battered) clients received at the Centre for treatment.

The lack of identification means that the behaviour is not specifically addressed, either by the staff at the Centre, or by referral to another agency.

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RECOMMENDATIONS/CROSSROADS TREATMENT CENTRE

The recommendations made here refer to the identification of battering behaviour in order that treatment may be actively sought should it become available. Currently, treatment would probably involve referral to Mental Health Services. As Crossroads is a private agency, although Government funded, the recommendations are made "about" the Centre, ratner than "to" the Centre, similar to those made about the Transition Home.

In order to identify assaultive behaviour towards a spouse, and consequently to provide treatment either at the Centre or by referral, it is recommended that:

3A Crossroads Treatment Centre take steps to include battering as one of the problems to be identified during a client's assessment period.

NOTE The Director of the Centre has pointed out that help would be required in identifying an effective assessment tool which could focus on such behaviour.

It is further recommended that:

3B The Yukon Department of Health and Human Resources provide some assistance to the Centre in order that an assessment tool can be identified, possibly with the involvement of Mental Health Services.

In order to complete the statistical picture of the situation with respect to battering in Yukon, it is recommended that:

3C Subsequent to the identification of assaultive behaviour against a client's spouse, the Crossroads Treatment Centre collate statistics in this respect at the end of each year for the use of agencies and departments who are interested in program development.

4. MARYHOUSE

Before the establishment of the Women's Transition Home in Whitehorse, Maryhouse was perhaps the major refuge for battered women. Since the Home's development, the staff at Maryhouse state that the number of battered women requesting assistance has dropped off substantially, and in fact the staff refer women who admit to being battered to the Women's shelter for assistance. Maryhouse does remain one of the main sources of assistance for women who are not ready to admit to being battered, and it is possible to stay there without telling the staff what problems are being experienced. The facility therefore does provide a significant service to battered women.

Maryhouse is registered as a non-profit charitable organization and operates largely on private donations. Staff members belong to a Catholic lay group, but everyone is welcome and services provided are completely nondenominational. The Federal Department of Indian Affairs and the Yukon Department of Health and Human Resources provide per diem funding for some residents, but most clients are unfunded.

Essentially, Maryhouse provides food and shelter on a temporary basis for women in Whitehorse who are in distress, and for people from out of town who have no other place to go. There are twelve beds and two children's cots. The House accommodates between 40 and 60 people per month, and of this number about two to three per month may be battered.

The staff provide "common sense counselling" and will give information about legal procedures such as Peace Bonds. Generally speaking, the staff try to encourage women who are battered to go to Kaushee's Place because the staff there are more experienced, the facilities are better and there is more privacy.

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5. SKOOKUM JIM FRIENDSHIP CENTRE

The major involvement with battered women by the staff of the Friendship Centre would be in providing information and a referral service, primarily to Native people in Whitehorse. Funding for the Centre is received from the Secretary of State (core funding), National Health and Welfare (National Native Alcohol and Drug Abuse Program), and other Canada and Yukon Government Departments varying from project to project, for example, the Federal Youth Employment Program.

The Centre has recently constructed a new facility and it is expected that a wider range of services will be offered in the future.

6. CRISIS LINE

All funding for the crisis line is raised privately, and the service is operated entirely by trained volunteers. The Crisis Line has had to cut back on its service recently, and now operates on a system whereby phone calls made to the crisis line's number are redirected to a volunteer's home number. If no volunteers are available, there is an answering machine which delivers a recorded message giving telephone numbers for services such as the RCMP, the hospital, Transition Home, etc.

Since the service has been cut down, the quality of the records kept has declined. There have been calls from women in distress over the last few months, however, and the volunteers provided "crisis listening" as well as telephone counselling and referral. Collect calls are accepted, and several calls have been received from communities at some distance from Whitehorse (arctic communities in the Northwest Territories, for example). Generally speaking, long distance phone charges are "forgiven" by the telephone company.

7. VICTORIA FAULKNER WOMEN'S CENTRE

The Victoria Faulkner Women's Centre is a non-profit organization which acts mainly as an information and referral centre, primarily to women. The bulk of the funding for operating costs comes from the Federal Secretary of State, and there are two paid coordinators. Other positions are generally filled by volunteers, although this year the centre has been able to acquire the services of a Katimavik program participant who works essentially full time. There is a volunteer Board of Directors of at least five people.

The Centre has an extensive library of books and resource materials, and provides information to other communities and groups on request. The Centre is also involved in Public Education in conjunction with the Ad Hoc Committee on Family Violence which has been established in Whitehorse.

Staff from the Centre have on occasion advocated for women who wish to obtain, for example, a Peace Bond or legal advice, but who may not wish to contact the Transition Home.

No statistics on the number of women who have requested assistance as a result of battering have been collated, but a daily log of concerns expressed is maintained. (Names of women are not mentioned in the log). Battered women either directly seek information and/or assistance with respect to battering or warm up to mentioning the problem after declaring another reason for their visit.

APPENDIX I

COMMUNITY SERVICES SUMMARY TABLES

TABLE I JUSTICE SERVICES BY COMMUNITY

COMMUNITY	1 POPULATION	2 HIGHEST LEVEL OF OF J.P.	2 COURT CIRCUIT (Times per Year)	RESIDENT PROBATION OFFICER	3 NUMBER OF OF RCMP
WHITEHORSE	15,771	III	Daily	X	31
WATSON LAKE	1,325	III	5	X	8
DAWSON CITY	1,244	III	5	-	5
FARO	1,700	II	5	-	2
MAYO	465	II	5	X	3
HAINES JUNCT.	461	III	4	-	3
TESLIN	347	III	4	-	3
CARMACKS	369	III	4	-	2
ROSS RIVER	274	II	as Faro	-	3
CARCROSS	246	II	4	-	2
OLD CROW	217	I	2-3	-	2
ELSA	194	II	Mayo	-	Mayo
PELLY CROSSING	125	II	2	-	1
BEAVER CREEK	113	III	Haines Jct.	-	2
DESTRUCTION BAY	57	I	Haines Jct.	-	Haines Jct.

1. Figures from the Yukon Economic Review, Third Quarter 1983
2. From Yukon Justice Department, February 1984
3. From RCMP, May 1984

X = Yes
- = No

TABLE II

MEDICAL SERVICES BY COMMUNITY

	[1] POPULATION	[2] MEDICAL SERVICES					
		RESIDENT DOCTOR	HOSPITAL BEDS	NURSING STATIONS	HEALTH CENTRE	HEALTH STATIONS	COMMUNITY HEALTH REP
WHITEHORSE	15,771	X	104		X	-	X
WATSON LAKE	1,325	X	11		X	-	X
DAWSON CITY	1,244	X	5		X	-	-
FARO	1,700	X	5		X	-	-
MAYO	465	X	16		X	-	-
HAINES JUNCT.	461	X	-		X	-	-
TESLIN	347	-	-	X	X	-	-
CARMACKS	369	-	-		X	-	X
ROSS RIVER	274	-	-		X	-	-
CARCROSS	246	-	-		-	-	X
OLD CROW	217	-	-	X	-	-	-
ELSA	194	Company Dr.	-		-	-	-
PELLY CROSSING	125	-	-		X	-	X
BEAVER CREEK	113	-	-	-	-	-	-
DESTRUCTION BAY	57	-	-		X	-	-

1. Figures from the Yukon Economic Review, Third Quarter 1983
2. Figures from Health & Welfare Canada and Community Profiles prepared by the Yukon Government's Economic Research & Planning Branch, 1984

X = Yes
- = No

TABLE III SOCIAL SERVICES BY COMMUNITY

	HEALTH & HUMAN RESOURCES				
	HUM. RES. STAFF	LOCATION	ADDICTIONS WORKER	LOCATION	SAFE HOME
WHITEHORSE	X		X		X
WATSON LAKE	X		X		Informal
DAWSON CITY	X		X		-
FARO	X		X		-
MAYO	X		X		-
HAINES JUNCT.	X		X		-
TESLIN	X		X		-
CARMACKS	X	Whitehorse	X	Whitehorse	-
ROSS RIVER	-	Faro	X		Informal
CARCROSS	X		X		-
OLD CROW	X		X		-
ELSA	X		-		-
PELLY CROSSING	-	Whitehorse	-	Whitehorse	-
BEAVER CREEK	-	Haines Jct.	-	Haines Jct.	-
DESTRUCTION BAY	-	Haines Jct.	-	Haines Jct.	-

X = Yes
- = No

TABLE IV TRANSPORTATION SERVICES

	AIR # PER WEEK	BUS # PER WEEK
WHITEHORSE	N/A	N/A
WATSON LAKE	3	3
DAWSON CITY	3	2
FARO	3	-
MAYO	3	2
HAINES JUNCT.	-	1
TESLIN	-	3
CARMACKS	-	2
ROSS RIVER	3	-
CARCROSS	-	3
OLD CROW	3	-
ELSA	Mayo	2
PELLY CROSSING	-	2
BEAVER CREEK	-	1
DESTRUCTION BAY	-	1

Information from this table was obtained from community profiles prepared by the Yukon Government's Economic, Research & Planning Branch, 1984
X = Yes
- = No

TABLE V

OTHER SERVICES

	MAIL # PER WEEK	LOCAL NEWSPAPER	SCHOOL (HIGHEST GRADE)	BANKING SERVICE	LIBRARY	SUPPORT GROUPS
WHITEHORSE	Daily	2	12	X	X	Yes
WATSON LAKE	Daily	-	12	X	X	Developing
DAWSON CITY	3 x Week	Bi-weekly	12	X	X	
FARO	3 x Week	Bi-weekly	12	X	X	Developing
MAYO	3 x Week	Bi-weekly	12	By Mail	X	
HAINES JUNCT.	3 x Week	Monthly	12	X	X	
TESLIN	3 x Week	Monthly	12	Once-Twice/Week	X	
CARMACKS	3 x Week	-	10	Once-Twice/Week	X	
ROSS RIVER	3 x Week	-	10	By Mail	-	
CARCROSS	3 x Week	-	9	Whitehorse	X	
OLD CROW	3 x Week	-	10	By Mail	X	
ELSA	3 x Week	-	12	-	X	
PELLY CROSSING	3 x Week	-	9	By Mail	X	
BEAVER CREEK	2 x Week	-	8	By Mail	X	
DESTRUCTION BAY	2 x Week	-	8	By Mail	X	

Information from this table was obtained from community profiles prepared by the Yukon Government's Economic Research & Planning Branch, 1984
X = Yes
- = No

APPENDIX II

SUMMARY OF NEEDS AND RECOMMENDATIONS

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
				It is recommended that:
Yukon Justice Department		Follow-up of recommendations.		The Yukon Government ensure that this report be followed up by continuing the existence of the Interdepartmental Committee on Wife-Battering.
		Increased representation of government departments on working committee.		The representation on this committee be widened to include the interests of the Department of Health and Welfare Canada, the Department of Indian and Inuit Affairs, Correctional Services within the Yukon Justice Department, and selected private agencies.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Federal Solicitor General/Yukon Justice Department	RCMP	Review of new procedures with respect to spousal assault		It is recommended that:
			1A	The RCMP "M" Divisional Headquarters undertake a review of the new "thrust" towards a more aggressive police intervention in spousal assault cases, with respect to: i) the number of spousal assault cases investigated; ii) the number of charges laid; iii) the difficulties encountered with respect to the changing of statements by victims and witnesses between the time of initial investigation and the taking of statements; iv) the time lapse between the initial investigation and the taking of statements (e.g. whether there are unnecessary delays between these two procedures) and; v) the occasions on which charges are not laid because the protagonists are apparently intoxicated.
		Consistency of police response.	1B	The RCMP develop some specific guidelines with respect to: i) the consistency of response in cases where victims request specific assistance, (for example to return home to collect their belongings) and

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Federal Solicitor General/Yukon Justice Department	RCMP	Training to help to correct identified "attitudinal" problems on the part of some police officers.		ii) that wherever possible, such assistance be provided to victims who are afraid for their safety.
			1C	Further training take place for the RCMP officers serving in Yukon, and that this training place a strong emphasis on:
				i) the fact that violence is not an appropriate response under any circumstances, and that "provocation" is NEVER grounds for an attack by one spouse on another, and
				ii) that spousal assault is a CRIMINAL OFFENCE and cannot be tolerated by society any more than other forms of violent behaviour. The fact that spousal assault frequently occurs behind closed doors makes it neither legal or excusable.
				iii) that intoxication on the part of either spouse in an assault is grounds to be taken into account in sentencing - not in laying the charge in the first place.
				iv) the possible dynamics existing in assaultive relationships, and the reasons why many women accept so much violence before complaining.
				v) the reasoning behind the thrust towards more aggressive police and court intervention in spousal assault cases.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
	RCMP	Acceptance and involvement of local agencies and government departments in providing RCMP training.	1D	The RCMP develop training sessions in conjunction with personnel from local agencies who are involved in providing services to either victims of spousal assault or the assaulting spouse (e.g. the Yukon Women's Transition Home, Mental Health Services),
		Involvement of non-RCMP personnel as both trainers and participants.	1E	The RCMP actively encourage non-RCMP personnel to be involved in training sessions, as participants and as trainers.
		Training at regular intervals to ensure accessibility to all RCMP staff.	1F	Training sessions occur at regular intervals to ensure that officers who are transferred from other areas also receive it.
		Study of real access to policing services in rural communities.	1G	The Yukon Minister of Justice, in conjunction with the Federal Solicitor General, undertake a review of the access to police services which is actually possible in small, rural communites, and
		Inclusion of Native communities in study of access to police services.	1H	This process take place also with the Department of Indian Affairs, Federal Solicitor General and the Indian Band Councils in Yukon with respect to the real access to police services available to residents of Native communities, and
Federal Solicitor General/Yukon Justice Department/ Federal Department of Indian Affairs		Increased policing for Kwanlin Dun Band	1I	Consideration be given immediately to the extension of police services for the Kwanlin Dun Indian Band in Whitehorse, from a daytime only service, to a twenty-four hour service of on-site policing.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Federal Solicitor General/Yukon Justice Department	RCMP	Increased role for RCMP in public education with respect to the new procedures.	1J	In the light of the recent changes in RCMP procedure in cases of spousal assault, and of supportive Divisional policy in the area, the RCMP continue and expand their increasingly prominent role in public education by speaking in schools, adult educational institutions, on the radio and in local print media, as well as providing this information to Indian Band Councils and organizations with an interest in women's and Criminal Justice issues.
		Increase in police referrals to the Compensation for Victims of Crime program for <u>all</u> eligible offences.	1K	The RCMP officers in the field be instructed to refer all victims of offences where an injury has been received to the program, whether or not they think that compensation is justified.
		Collection of statistics for information and planning purposes.	1L	The RCMP collect statistics with respect to spousal assaults which fully reflect: i) the relationship between the parties; ii) the circumstances, e.g. whether alcohol was involved; iii) whether or not a criminal charge was laid, and if not, why not; iv) whether this was a first incidence of such an assault or one of several; v) the charge laid, if any; vi) which of the parties (if any) was removed from the home and why; vii) whether either of the parties were held in custody; viii) whether either of the parties were held in custody.
Federal Solicitor General/Yukon Justice Department/ Federal Department of Indian Affairs				

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
				It is recommended that:
Yukon Department of Justice	COURTS	Involvement of all court personnel in the provision of regular public education sessions.	2A	i) Court personnel become actively involved in providing legal information and information about the Court process to the public. This should include the Judiciary, the Crown and the RCMP where appropriate, as well as Justices of the Peace. This could perhaps be done as part of the Circuit Court's activities at relatively little expense; ii) this information include explanations of the new procedures in effect with respect to spousal assault cases, as well as some indication of the reasoning which takes place in arriving at a sentencing decision.
		Involvement of court personnel in provision of public education through legal education or other committee.	2B	If it proves impractical to provide workshops or information sessions during the Court Circuits, the Court Personnel should nonetheless become involved in information-dissemination through the public Legal Education Committee, or whatever body becomes established to fulfil the Legal Education role.
		Public information about sentencing options.	2C	When providing information about the Court process, an outline of the possible outcomes and sentencing options available to the Courts is included, as well as the possibility of court-ordered treatment.
		Encourage the development of treatment and sentencing options - involvement of judges and crown.	2D	The judges and Crown become more involved in the development of treatment programs which would be acceptable to the Courts.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Department of Justice		Examination of JP services with respect to requirements of judicial interim release orders.	2E	The Department of Justice examine the distribution of Justice of the Peace services in Yukon with a view to determining the practicality of the use of either the Judicial Interim release or Peace Bond provisions of the Criminal Code to control persons accused of an assault on a spouse.
		Access to JP II or III services.	2F	It is ensured that all communities have reasonable access to the services of a Justice of the Peace II or III.
		Training for JP's with respect to judicial interim release	2G	Emphasis be placed in training for Justices of the Peace on the preferred use of Judicial Interim Release Orders in cases of spousal assault.
		Inclusion of the dynamics of spousal assault in JP training.	2H	The dynamics of spousal assault be included as part of an upcoming training for Justices of the Peace, as well as information about possible treatment programs which either are already, or may become available in the future.
		Inclusion of community groups in JP training sessions.	2I	Community groups and individuals with some expertise in areas related to spousal abuse be involved in the development and delivery of such training. This might include the staff of the Yukon Women's Transition Home, Mental Health Services, Yukon Family Services and the Correctional Centre and Probation Branch.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Department of Justice				**The following points are put forward as suggestions rather than as formal recommendations:**
		Reduction or delays created by holding hearings over to circuit court.		The Justice Department should ensure that there are sufficient Justices of the Peace in outlying communities with sufficient powers to minimize the number of offences which have to be held over to the Circuit Court.
		Proper case preparation and client briefing for court appearance.		As far as possible, the Court party should spend some time in the community before court-day, particularly the Crown Prosecutors and lawyers, to ensure proper case-preparation and briefing of clients.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Justice Department	CORRECTIONAL CENTRE	Statistics on those sentenced as the result of a spousal assault.		**It is recommended that:**
			3A	The Correctional Centre assess the feasibility of acquiring and recording statistics with respect to the number of inmates who have been sentenced as the result of a spousal assault, and that such data be collected if at all possible.
		Program for treatment of assaultive behaviour and to promote emotional development.	3B	The Correctional Institution continue to develop such a program to be implemented as soon as possible, and that this program be developed to include those who have been sentenced directly as the result of a spousal assault, as well as those who have been sentenced for other offences but have such assaultive behaviours identified as a problem during their sentence.
		Attendance of inmates at a program which may be developed outside the institution.	3C	Attendance at this treatment program form part of an acceptable pre-release plan for inmates at the institution, and that attendance at the program be considered for day-release also.
		Support system on release for inmates who have participated in programs dealing with spousal assault and/or anger control.	3D	The Correctional Institution attempt to set up a support system which would be available to inmates on release, either on a formal or informal basis. This could be provided through volunteer activity, or through other government or private agencies (Alcohol & Drug Counsellors, Social Service Workers and Indian Bands, for example).

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
				It is recommended that:
Yukon Justice Department	PROBATION	Review of amount of contact between probation officers and clients in communities outside Whitehorse.	4A	The Probation Branch continue to review the number of probationers there are in communities outside of Whitehorse, Mayo and Watson Lake, to examine the contact that the probation officers actually have with them during the course of their sentence. This review should include the number of clients who have had a term of probation added to their sentence of imprisonment.
		Increase in probation services to communities.	4B	i) Consideration be given to placing a probation officer in communities where there are sufficient caseloads and/or few other services available, and;
		Possibility of probation supervision by contract/part-time.		ii) If a full-time progation officer is not warranted, a part-time or contract arrangement be considered;
		Need for considering practical experience as well as/instead of formal educational qualifications.		iii) In making such arrangements, full consideration be given to individuals who do not fulfil the formal educational requirements of the Public Service Commission but who reside in the community and have a strong desire to work with persons in conflict with the law.
		Need for Native people to serve Native communities.		iv) that attempts be made to recruit Native people to fulfil this role in communities where there is a large Native population.
		Probation services in Ross River area.	8C)	That in determining the need for probation services, particular consideration be given to the Faro/Ross River area.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Justice Department	PROBATION	Statistics on sentencing and treatment of clients sentenced as the result of a spousal assault.	4D	That the Probation Branch include in its information system data on: i) the number of people sentenced to a term of probation as the result of a conviction for spousal assault; ii) the agencies to which these clients may have been referred; iii) the length of the sentence and the type of supervision provided.
		Recording of assaultive behaviour on file.	4E	The Probation Department ensure that whenever assaultive behaviour against a spouse is identified as a problem, it is indicated on the client's file so that counselling or treatment can be sought, and to assist in the collection of statistical information.
		Review of files for information purposes.	4F	In order to assist Social Service and other personnel in program planning and implementation, that Probation Department undertake a review of client files for a specified period, to determine the number of clients who have been either counselled about their assaultive behaviours, or who have had such behaviour identified as a problem. * Given the manpower constraints, perhaps this could be done through one of the summer student employment programs.

DEPARTMENT / AGENCY	PROGRAM / BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Justice Department	PROBATION/ CORRECTIONAL INSTITUTION	Coordination of resources to ensure follow up.	4G	The Probation Branch and Correctional Centre coordinate their resources to ensure that inmates who are released from the institution under the terms of a Probation Order, and who have received treatment for assaultive behaviour against their spouses receive some follow-up and support service in the community.
	PROBATION BRANCH	Identification of spousal assault as priority area.	4H	i) The Probation Branch identify the topic of spousal assault as a priority area, to coincide with the initiative being taken by the Crown and RCMP.
		Training for probation staff.		ii) Information and training sessions continue to take place, possibly in conjunction with the RCMP, Correctional Centre, Mental Health Services or other agencies.
		Involvement of local agencies in training.		iii) Information and training sessions involve, as far as possible, the staff of the Yukon Women's Transition Home and other agencies with an interest in program development for either battered women or for men who batter their wives.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Justice Department/Worker's Compensation Board	COMPENSATION FOR VICTIMS OF CRIME	Upgrading of publicity for program.		**It is recommended that:**
			7A	The Worker's Compensation Board review the publicity provided for the program with a view to ensuring: i) that the displays of pamphlets describing the program provide the opportunity for prospective claimants to pick up a pamphlet and take it home. This could be done by providing boxes containing the pamphlets similar to those provided for programs in banks, for example. These boxes could either be displayed on counters or pinned to bulletin boards;
		Increasing availability of application forms		ii) wherever the pamphlets are displayed, mention also be made of where in the local community the application forms are available. Wherever possible, the application forms should be provided alongside the pamphlets.
		Upgrading of publicity for program.	7B	The Worker's Compensation Board give some consideration to: i) the development of a larger poster for display in windows or bulletin boards. Additional publicity might be gained also if the poster design was adopted by competition, for example within schools; ii) the development of poster displays aimed at particular groups, for example battered women. This would fit in well with the initiatives adopted by the RCMP and Crown, emphasizing that spousal assault is a criminal matter.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Justice Department/Workers' Compensation Board	COMPENSATION FOR VICTIMS OF CRIME			iii) altering the colour of the pamphlets to make them more eyecatching.
		Rendering pamphlets more useful to the general public.	7C	The Workers' Compensation Board make the pamphlets more useful by: i) altering the style of language used, so that people with English as a second language, or little education could understand them; ii) removing references to information not included in the pamphlet, for example, "the schedule to the Act" could be appended to the application form to make it more readily accessible. iii) including the information that a charge does not have to be laid in order for a victim to be eligible for compensation.
		Increasing publicity.	7D	The Workers' Compensation Board widen the distribution of the pamphlets.
		Education about program to professionals.	7E	Some attempt be made by the Board to explain to professionals and others who might come into contact with victims of crime, how the program can be useful to their clients, and how to assist people in filling out the form.
		Increasing all possible referrals to the program.	7F	The Workers' Compensation Board stress the importance of referring victims of an eligible offence to the program.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Justice Department/Workers' Compensation Board	COMPENSATION FOR VICTIMS OF CRIME		7F	- cont'd. The point should be stressed that the decision to compensate is made by the Board - not the source of referral.
		Modifications of application form.	7G	The application form be modified to better reflect the provisions of the Act, for example that compensation can be paid for "pain and suffering", and that these categories be included in the form.
			7H	Some indication be given on the form of what to do if some categories of information are not available, for example tax returns.
		Amendments to the Act with respect to the distribution of notices of hearing and information with respect to the decisions of the Board.	7I	An assessment be done of the feasibility and legality of amending the Act to allow that the finding of "guilty" in a court of law against the person accused of committing an offence be counted as sufficient evidence, and that in these cases at least, the assaulting spouse need not be given notice of a hearing by the Board.
			7J	Consideration be given to eliminating the requirement that a notice of hearing be given to an assaulting spouse if there is fear of retaliation on the part of the victim, particularly if the incident has already been reported to the police, and a police investigation has taken place.
			7K	The above two recommendations apply also to the dissemination of information about the decisions of the Board.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
				It is recommended that:
Yukon Justice Department		Program coordination particularly in areas related to corrections.	8A	A mechanism be developed within the Justice Department to have responsibility for program coordination, particularly within areas related to Corrections.
	WOMEN'S BUREAU	Consultation with the Coordinator of the Women's Bureau.	8B	The coordinator of the Women's Bureau within the Department be consulted on matters with an ultimate impact on women (for example, the development of programs for batterers).
Yukon Justice Department/RCMP	ADMINISTRATIVE SERVICES	Coordination of the gathering of statistical information.	8C	A priority be placed on the collection and coordination of statistical information with respect to spousal assault, to permit the tracking of a charge resulting from an assault on a spouse from the police level through the courts and sentencing, and
Yukon Justice Deparatment/RCMP		Incorporation of information collected by RCMP into statistical system used by the Yukon Justice Department to allow tracking of offences.	8D	Although spousal assault is not an official classification under the criminal code, an attempt be made to incorporate the information on such assaults collected by the RCMP into information used by the Courts, Probation Branch and Correctional Centre to allow such tracking to occur.
Yukon Justice Department	COURTS AND ADMINISTRATIVE SERVICES	Gathering of information from Justice of the Peace Courts.	8E	The statistical system being developed within the Justice Department be designed to enable statistics to be collected specifically with respect to the charges dealt with by the Justice of the Peace Courts.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Department of Health and Human Resources	HEALTH SERVICES			No recommendations
	HUMAN RESOURCES	Recording of spousal assault by social workers.		**It is recommended that:**
			2A	The Department of Human Resources instruct Social Workers to follow the Policy statement issued by the Canadian Association of Social Workers, that social workers should "develop a technique in history-taking and documentation of evidence to facilitate early detection."
			2B	Where pre-printing or formatted sheets are used in history-taking or other procedures, an item be added to remind the worker to record the incidence of spousal abuse, in order to render the collection of statistical information easier.
		Regular collation of statistics by Health & Human Resources.	2C	This statistical information be collated regularly (at least once a year) to document the incidence of spousal abuse among Human Resource clients in Yukon, in order to enable the Department to develop rograms and allocate resources on the basis of demonstrated need.
		Consideration of spousal assault as a departmental priority.	2D	The Department take advantage of the momentum generated by the initiatives taken by the RCMP and the Crown, and identify spousal abuse as a Departmental priority.
		Staff training surrounding the subject of spousal abuse.		**It is further recommended that this priority be expressed by the following actions:**

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Department of Health & Human Resources	HUMAN RESOURCES			The identification of staff training surrounding spousal abuse as a priority by: i) ensuring that funding is made available for in-house staff-training with respect to spousal abuse; and ii) ensuring that training workshops occur at least twice a year for field staff, at least until a full range of services and programs has been established; iii) ensuring that all newly hired staff take part in such training sessions as they occur; iv) making such training sessions and workshops open to staff from private and government agencies providing service to either battered women or men who batter.
		Involvement of private agencies in training.		
		Coordination between the Department and the transition home.	2E	A person within the Department of Health and Human Resources be identified to act as liaison between the home and the Department, and that regular contact be re-established within the very near future.
		Support services for men, women and children who have been involved in battering relationships.	2F	The Department of Health and Human Resources undertake to initiate discussions with the Yukon Women's Transition Home, Mental Health Services, Correctional Services, Yukon Family Services and other interested groups with a view to developing an array of support services for men, women and children who have been involved in battering relationships.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Department of Health & Human Resources	HUMAN RESOURCES	Provision of funding or other services to assist in development of support programs.	2G	The department of Human Resources be prepared to provide some funding or services if required, in order to assist in the development of such support services.
		Public information with respect to existing programs.	2H	The Department of Health and Human Resources undertake to provide easily understandable written information for public use with respect to the programs and services for which the department is responsible, and that this information be distributed to communities outside Whitehorse and to other agencies providing service delivery or information within the Whitehorse area.
		Coordination with other services and departments with respect to information preparation.	2I	This information be developed in conjunction with other departments and agencies which may become involved in the development of public information so that "gaps" in information do not occur, and to ensure that the styles are reasonably consistent.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
				It is recommended that:
Department of Education, Advanced Education and Manpower	ELEMENTARY & SECONDARY SCHOOLS	Priority for topic of family violence in school curriculum.	1A	The Department of Education, Advanced Education and Manpower take advantage of the current interest and initiatives demonstrated by other government and private agencies, and indicate that areas relating to family violence are to be treated as a priority, and efforts be made to include them in the school curriculum.
		Inclusion of topic of family violence in core compulsory courses in curriculum.	1B	The Department of Education, Advanced Education and Manpower attempt to include the topic of Family Violence (including Spousal Assault) in one of the core compulsory courses offered in the school curriculum.
		Use of community resources in provision of information.	1C	When providing exposure to the subject of family violence, the Department of Education urge school principals to instruct their staff to make full use of the resources available in the community, for example, to include presentations by the Yukon Women's Transition Home, Family Services, Mental Health Services, Human Resources etc.
		Investment of financial or other resources in development of educational materials.	1D	Department of Education invest resources in the development and adaptation of materials on spousal assault to ensure their appropriateness to the school environment.
		Stressing of legal aspects of spousal assault.	1E	The legal consequences of family violence (including spousal assault) be stressed whenever the subject is addressed in the school system.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
				It is recommended that:
Federal Employment and Immigration Commission/Yukon Department of Education, Advanced Education & Manpower	ADULT EDUCATION	Identification of battered women as a target group in order to identify specific needs and barriers with respect to entering the work force.	2A	The Federal Employment and Immigration Commission and the Yukon Department of Education, Advanced Education and Manpower, identify women who have been battered by their husbands as a specific target group, and make some attempt to determine their needs with respect to employment and training programs. This assessment should take into account the financial barriers which may be encountered by women who wish to enter, or re-enter the work force.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
				It is recommended that:
Health & Welfare Canada	HOSPITALS	Consistent identification of spousal assault victims in emergency rooms.	1A	In recognition of spousal assault as a criminal offence, and to facilitate the assessment of the incidence of spousal assault, a protocol be developed for use in hospital emergency rooms and by nursing staff which would: i) prompt the questioning of patients suspected to be victims of spousal assault; ii) record suspected cases for follow-up by the patient's own doctor on a subsequent visit; iii) enable the collection of statistics with respect to the incidence of spousal assault, so that cases which may never be reported to the RCMP or other agencies can be included in the developments of an overall statistical picture. Note: It may be possible to fulfil the above recommendation by adding some "check-boxes" to the form already in use for recording emergency-room visits.
		Provision of follow-up services to assault victims.		
		Collection of statistical information.		
	HOSPITALS & PUBLIC HEALTH	Staff training in areas relating to spousal assault.	1B	Spousal abuse be designated as a priority for staff-training purposes, and training sessions be regularly provided for all nursing staff. This could be done in conjunction with other agencies or government departments which may be offering training sessions to their own staff.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Health & Welfare Canada	MENTAL HEALTH SERVICES	Definition of guidelines and responsibilities with respect to the development of court-ordered treatment.	2A	Mental Health Services approach the Yukon Department of Justice, the Judiciary and the Crown with a view to developing policies and guidelines chich would apply in situations where treatment is court ordered; specifically with respect to the duties of Mental Health Services staff (or group leaders) as they apply to violations of court orders, and self confessed re-offences.
				Note: This recommendation is directed to Mental Health Services rather than the courts because Mental Health Services are dealing directly with the offender, and it is Mental Health staff who may find themselves in a potentially conflicting situation.
		Development of group treatments for men and women.	2B	In order to capitalize on the current wave of interest and concern, and to encourage the processing of assault cases throught the courts, Mental Health Services initiate discussionss with other agencies and the courts with a view to the rapid development of group treatments for both men and women.
	HOSPITALS & PUBLIC HEALTH	Funding for educational materials to ensure suitability.	2C	Health and Welfare Canada (in Yukon) contribute some financial or other resources towards the development of resource material appropriate for use in Yukon, in order to ensure that the material developed is suitable for use by hospitals, nursing stations and other medical services, as well as Mental Health Services.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
				It is recommended that:
Yukon Medical Association		Guidance to private physicians through the Yukon Medical Association.	3A	The Yukon Medical Association provide some guidance to its members in Yukon with respect to spousal assault and the appropriate treatment approaches to battered women by including a session on these topics in the agenda for their Annual General meeting to be held in November (or for subsequent meetings).
			3B	The Yukon Medical Association in Whitehorse schedule spousal assault and the treatment of victims as a discussion topic at one of their weekly meetings in Whitehorse.
				It is also recommended that:
		Funding for development of resource materials.	3C	The Yukon Medical Services Foundation be approached with a view to contributing some funding for the development of resource material appropriate to Yukon on the subject of wife assault.
		Development of guidelines for private physicians through Canadian Medical Association.	3D	The Yukon Medical Association consider the development of guidelines for the use of physicians in dealing with cases of spousal assault. These could perhaps be developed in conjunction with the Canadian Medical Association.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
				It is recommended that:
Federal Department of Indian Affairs & Yukon Department of Human Resources	TRANSITION HOME	Consistent block funding for transition home.	1A	The Federal Department of Indian & Inuit Affairs and the Yukon Department of Health and Human Resources make every attempt to ensure that funding for the home continue on a block funding basis, and a return to a per diem system be avoided.
		Child care worker for transition home.	1B	The Department of Indian & Inuit Affairs and the Yukon Department of Health and Human Resources reconsider the funding of a child care worker at the Transition Home at least on a part-time basis, and provide funding to accommodate this need if at all possible.
		Assessment of need for second stage housing.	1C	An assessment of the need for second stage housing take place for women who leave the transition home, and this needs assessment take into account the possibility of making such facilities multi-use rather than for use only for women who are battered.
		Safe-house system in communities outside Whitehorse.	1D	A priority be placed by the funders and the transition home on the development of a safe-house system and consideration be given to the funding of a short-term project to assist in its establishment.
		Follow-up for women leaving Transition Home.	1E	The safe-house system be developed also with a view to the provision of some follow-up service to women who leave the Home to return to their home communities, or to other communities outside Whitehorse.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
				It is recommended that:
Federal Department of Indian Affairs & Yukon Department of Human Resources	TRANSITION HOME	Funding for commmunity based follow-up services.	1F	Consideration be given to the mechanisms available through which some minimal funding could be provided to people willing to provide this assistance.
		Protection services by RCMP.	1G	The RCMP be consulted during the development of a safe-home network, so that they are aware of the possible requirements which may arise for police assistance.
		Job audit to determine basis for funding of salary levels.	1H	The Yukon Government Public Service Commission be approached with a view to conducting a job audit on the positions at the transition home, in order to provide some basis for determining the amount of funding to be provided for salaries.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
				It is recommended that:
Yukon and Federal Departments of Justice Yukon Departments of Health & Human Resources, and Education Health & Welfare Canada Department of Indian Affairs, and Private Agencies		Public legal education.	1A	Information be prepared for public use with respect to the procedures required in reporting an assault, including: i) information about what might be expected should a charge be laid and the maatter proceed through the court system. This should include a brief but understandable description of how the court system operates in Yukon and what sentences might be considered should the assaulting spouse be found guilty; ii) information about the Legal Aid and Compensation for Victims of Crime programs. Note: There are now pamphlets available which describe the Legal Aid and Compensation for victims of Crime programs. Both of these are directly court related, and the Compensation program is particularly badly publicized. Further information is therefore required.
		Education about programs provided by agencies and departments for professionals and agencies.	1B	All agencies and government departments which provide services which may be used by women who have been assaulted by their husbands prepare information pamphlets, packages or booklets describing their services for distribution to other agencies and professionals.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon and Federal Departments of Justice Yukon Departments of Health & Human Resources, and Education Health & Welfare Canada Department of Indian Affairs, and Private Agencies		Funding for preparation of staff training materials.	1C	All the departments who require information and material for staff training purposes provide some funding towards the preparation of these materials, in order to ensure that what is prepared will properly meet their needs, and that i) the Yukon Medical Services Foundation be approached for contributions also, in order to ensure that the needs of family physicians be addressed; ii) when staff training sessions are conducted, full use be made of the resources available in the community (such as transition home staff), and that staff and volunteers from private agencies be invited to attend - space permitting.
		Participation of private agencies.		
		Distribution and acquisiton of available resource materials.	1D	The agency acting as the resource centre on family violence in Yukon prepare a listing of what material is available in their library with respect to spousal assault, and distribute it to agencies and government departments with an interest in this area.
			1E	The agency acting as the resource centre on family violence in Yukon undertake to actively search for, and acquire information on the subject of spousal assault so that other agencies in Yukon can take advantage of it.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon and Federal Departments of Justice Yukon Departments of Health & Human Resources, and Education Health & Welfare Canada Department of Indian Affairs, and Private Agencies			1F	The agency undertake to properly catalogue all information on the subject of spousal assault, and ensure that interested agencies are kept informed on a regular basis.
				With respect to workshop materials, it is recommended that:
		Workshop kits.	1G	Some funding be made available for the preparation of workshop kits on the subject of family violence in general and spousal assault in particular, so that community and government agencies can undertake some public education and information sessions in their communities.
		Material relevant to Yukon.	1H	Information prepared for these kits include material relevant to Yukon, and not only on the situation in southern urban communities.
		Material relevant to Native communities.	1I	Information be prepared which is suited for presentation in Native communities. This could be done by preparing materials in conjunction with the Friendship centre, Council for Yukon Indians, Native Women's Association, Native Courtworker services, the Native Mental Health Coordinator, Band Councils and other interested bodies.
		Inclusion of private agencies in preparation of informational materials.	1J	Private agencies or groups be approached by Government of Yukon with a view to the preparation of training and workshop material.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Health & Human Resources Federal Department of Indian Affairs.	TRANSITION HOME	Consistent block funding for transition home.	1A	The Yukon Department of Health and Human Resources and the Federal Department of Indian Affairs make every attempt to ensure that funding for the Home continues on a block funding basis, and a return to a per diem system be avoided.
		Child care worker for transition home.	1B	The Yukon Department of Health and Human Resources and the Department of Indian Affairs reconsider the funding of a child care worker, at least on a part-time basis, and provide funding to accommodate this need if at all possible.
		Assessment of need for second stage housing.	1C	An assessment of the need for second stage housing take place for women who leave the transition home, and this needs assessment take into account the possibility of making such facilities multi-use rather than single-use.
		Safe-house system in communities outside Whitehorse.	1D	A priority be placed by the funders and the transition home on the development of a safe-house system and consideration be given to the funding of a short-term project to assist in its establishment.
		Follow-up for women leaving transition home.	1E	That the safe-house system be developed also with a view to the provision of some follow-up service to women who leave the Home to return to their home communities, or to other communities outside Whitehorse.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Health & Human Resources Department of Indian Affairs	RCMP	Funding for community based follow-up services.	1F	Consideration be given to the mechanisms available through which some minimal funding could be provided to people willing to provide this assistance.
Yukon Health & Human Resources		Protection services by RCMP.	1G	The RCMP be consulted during the development of a safe-home network, so that they are aware of the possible requirements which may arise for police assistance.
Yukon Health & Human Resources Department of Indian Affairs Yukon Public Service Commission (& Federal Public Service Commission)	TRANSITION HOME	Job audit to determine basis for funding of salary levels.	1H	The Yukon Government Public Service Commission be approached with a view to conducting a job audit on the positions at the transition home, in order to provide some basis for determining the amount of funding to be provided for salaries.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Health & Human Resources	FAMILY SERVICES ASSOCIATION	Identification of role as clearing house on family violence as a priority.	2A	The Yukon Family Services Association idenfity its role as the Resource Centre on family violence as a priority, and take steps to: i) catalogue the existing material and prepare a listing which could be distributed to community agencies and government departments in order that they might borrow material; and
		Acquisition and dissemination of material on family violence.		ii) identify sources of information, books, papers and programs which may be of interest to community or other groups in Yukon; and iii) purchase published material and/or obtain free material such as academic and other papers for their library; and iv) ensure that interested agencies are regularly informed of material available so that it can be borrowed.
	CROSSROADS	Identification of assaultive behaviour on intake.	3A	Crossroads Treatment Centre take steps to include battering as one of the problems to be identified during a client's assessment period. Note: The Director of the Centre has pointed out that help would be required in identifying an effective assessment tool which could focus on such behaviour.

DEPARTMENT OR AGENCY	PROGRAM OR BRANCH	IDENTIFIED NEEDS	#	RECOMMENDATIONS
Yukon Health & Human Resources	CROSSROADS	Identification of assessment tool.		**It is further recommended that:**
			3B	The Yukon Department of Health and Human Resources provide some assistance to the centre in order that an assessment tool can be identified, possibly with involvement of Mental Health Services.
				In order to complete the statistical picture of the situation with respect to battering in Yukon, it is recommended that:
Yukon Health & Human Resources/ Federal Health & Welfare	CROSSROADS	Collection and collation of statistics.	3C	Subsequent to the identification of assultive behaviour against a client's spouse, the Crossroads Treatment Centre collate statistics in this respect at the end of each year, for use of agencies and departments who are interested in program development.

APPENDIX III

SOURCES OF INFORMATION

SOURCES OF INFORMATION

Government of Canada: Canadian Centre for Justice Statistics, Justice Information Overview, October 1983.

Government of Yukon: Department of Education, 1981/82 Annual Report.

Government of Yukon: Economic Research and Planning, Yukon Economic Review, Third Quarter 1983.

Government of Yukon: Economic Research and Planning, Community Profiles, Unpublished, 1984.

Government of Yukon: Yukon Housing Corporation, 1981/82 Annual Report.

Government of Yukon: Department of Justice, 1981/82 Annual Report.

McLaughlin, A.: An Analysis of Victims/Victim Witness Needs in Yukon. March 1983.

McLaughlin, A.: Kaushee's Place, Yukon Women's Transition Home, Final Report of a Three-Year Demonstration Project, March 1983.